



0202/0621

**II Semester 3 Years LL.B./VI Semester 5 Years B.A. LL.B. / B.B.A. LL.B.
Examination, June/July 2015
COMPANY LAW**

Duration : 3 Hours

Max. Marks : 100

- Instructions :**
1. Answer Question No. **9** and **any 5 (five)** of the remaining questions.
 2. Question No. **9** carries **20** marks and remaining questions carry **16** marks **each**.
 3. Answer should be written either in **English or Kannada completely**.

- సూచనలు:**
1. ప్రత్యే సంఖ్య **9** మత్తు ఇతర యావుడే **5** ప్రత్యేగిలిగే లుత్తరిసి.
 2. ప్రత్యే **9** కే **20** అంకగళు మత్తు ఇతర ప్రతి ప్రత్యేగే **16** అంకగళు.
 3. లుత్తరవన్న సంపూర్ణాంశవాగి కన్నడదల్లి అధవా ఇంగ్లీష్‌నల్లి బరెయతక్కదు.

Q. No. 1. State the circumstances on which the court can lift the corporate veil of a company. Answer with the help of decided cases. Marks : 16

యావ సందబ్ధదల్లి న్యాయాలయవు సంస్థ స్పోర్టస్ ముసుకన్న తెరవుగొళిసబముదు ఎంబుదన్న నిధనరిత తీప్పగళ సహాయదొందిగే లుత్తరిసి.

Q. No. 2. What is Memorandum of Association ? State the procedure for alteration of objective clause of a company. Marks : 16

మనవి పత్ర ఎందరేను ? కంపనియ లద్దేత విభాగవన్న బదలాయిసలు నివ్వాంచేకాద ప్రక్రియెగళన్న తిలిసి.

Q. No. 3. Define Prospectus. Explain the effects of mis-statement in prospectus of a company. Marks : 16

పరిజయ పత్రవన్న వ్యాఖ్యానిసిరి. పరిజయ పత్రదల్లి తప్ప హేళించి ఆగువ పరిణామగళన్న వివరిసి.



Q. No. 4. Who is a Promoter ? Explain the effects of pre-incorporation contracts.

Marks : 16

ಪ್ರವರ್ತಕನೆಂದರೆ ಯಾರು ? ಸಂಯೋಜನ ಪ್ರಾರ್ಥ ಕರಾರುಗಳ ಬದ್ಧತೆಯನ್ನು ವಿವರಿಸಿ.

Q. No. 5. What are the different classes of share capital ? Explain the statutory restrictions and general principles of allotment of shares. Marks : 16
 ಹೇರು ಬಂಡವಾಳದ ವಿವಿಧ ಪ್ರಕ್ರಿಯೆಗಳು ಯಾವುವು ? ಹೇರು ಹಂಚಿಕೆಯ ಒಗ್ಗೆ ಇರುವ ಶಾಸನೀಯ ನಿರ್ಬಂಧನೆಗಳು ಮತ್ತು ಸಾಮಾನ್ಯ ತತ್ವಗಳನ್ನು ವಿವರಿಸಿ.

Q. No. 6. Discuss the provisions of Companies Act 2013 with regard to prevention of oppressions and mismanagement in a company. Marks : 16
 ಕಂಪನಿಯಲ್ಲಿ ದಬ್ಬಾಳಿಕೆ ಮತ್ತು ದುರಾಡಳಿತವನ್ನು ತಡೆಗಟ್ಟಲು ಕಂಪನಿ ಅಧಿನಿಯಮ 2013 ರ ಉಪಭಂದಗಳೊಂದಿಗೆ ಚರ್ಚಿಸಿರಿ.

Q. No. 7. Explain briefly the various methods of winding up of a company. Marks : 16
 ಕಂಪನಿಯ ಸಮರ್ಪಣೆ (ವಿಸರ್જನೆ)ಯ ಹಲವು ವಿಧಾನಗಳನ್ನು ಸಂಕ್ಷಿಪ್ತವಾಗಿ ವಿವರಿಸಿ.

Q. No. 8. Write short notes on **any two of the following :** Marks : $2 \times 8 = 16$
 ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡಕ್ಕೆ ಲಘು ಟಿಪ್ಪಣಿ ಬರೆಯಿರಿ:
 (a) One man company.
 (b) Charges.
 (c) Position of Director in a Company.
 (a) ಏಕ ಘೃತ್ಯಕೆ ಕಂಪನಿ.
 (b) ಶಿಫಣ ಭಾರ.
 (c) ಕಂಪನಿಯಲ್ಲಿ ನಿರ್ದೇಶಕನ ಸ್ಥಾನ.

Q. No. 9. Solve **any two of the following problems :** Marks : $2 \times 10 = 20$

ಕೆಳಗಿನ ಯಾವುದಾದರೂ ಎರಡು ಸಮಸ್ಯೆಯನ್ನು ಬಗೆಹರಿಸಿ:

(a) One of the object of the company 'Y' was to manufacture mechanical spares and to market them. The company 'Y' intended to manufacture gold ornaments and to sell them. Advise 'Y' company.

ಕೈಗಾರಿಕಾ ಬಿಡಿ ಭಾಗಗಳನ್ನು ತಯಾರಿಸಿ ಮತ್ತು ಮಾರುಕಟ್ಟೆ ಮಾಡುವ ಉದ್ದೇಶದಿಂದ 'Y' ಕಂಪನಿ ಸಾಧನೆಯಾಗಿರುತ್ತದೆ. 'Y' ಕಂಪನಿಯು ಚಿನ್ನದ ಒಡವೆಗಳನ್ನು ತಯಾರಿಸಿ ಮತ್ತು ಮಾರಾಟ ಮಾಡುವುದಾಗಿ ಬಂಯಸುತ್ತದೆ. ಈ ಕಂಪನಿಗೆ ಸಲಹೆ ನೀಡಿ.



(b) 'X' company lends to 'Y' company a loan on a mortgage of its assets. The procedure laid down in the Articles for such transaction is not complied with. The directors of the 2 companies were the same. Is this mortgage binding upon a company ?

'X' ಕಂಪನಿಯು 'Y' ಕಂಪನಿಗೆ ಆಸ್ತಿಯ ಅಡಮಾನದ ಮೇಲೆ ಸಾಲ ಹೊಡುತ್ತದೆ. ಇದಕ್ಕೆ ಅನುಸರಿಸಬೇಕಾದ ಪ್ರಕ್ರಿಯೆಯನ್ನು ಪಾಲಿಸಿರುವುದಿಲ್ಲ. ಎರಡು ಕಂಪನಿಗಳಿಗೆ ಇವರೇ ನಿರ್ದೇಶಕರಾಗಿರುತ್ತಾರೆ. ಅಡಮಾನವು ಕಂಪನಿಯ ಮೇಲೆ ಬಂಧನಕಾರವಾಗುತ್ತದೆಯೇ ?

(c) The Auditors of a company made a confidential report to the directors stating that the security for some loans are insufficient and difficulty of realization and stated that no dividends should be paid for the year, but the auditor also in his report to his shareholder stated that the value of the assets depends upon the realization. A dividend of 15% was declared out of capital assets. State whether the Auditor or Director are liable for the same.

ಒಂದು ಕಂಪನಿಯ ಲೆಕ್ಕೆ ಪರಿಶೋಧಕರು ನಿರ್ದೇಶಕನಿಗೆ ಒಂದು ಗೌಪ್ಯ ವರದಿ ಸಲ್ಲಿಸಿ ಭದ್ರತೆಗಾಗಿ ತೆಗೆದುಹೊಂಡ ಆಸ್ತಿಯ ಮೌಲ್ಯ ಸಾಕಷ್ಟು ಇಲ್ಲವೆಂದು ಮತ್ತು ಅದನ್ನು ಪಡೆಯುವಲ್ಲಿ ಆಗುವಂತಹ ತೊಂದರೆಗಳನ್ನು ತಿಳಿಸಿ ಮತ್ತು ಆ ವರ್ಷದ ಲಾಭಾಂಶವನ್ನು ಹಂಚಬಾರದೆಂದು ಹೇಳುತ್ತಾರೆ. ಆದರೆ ಲೆಕ್ಕೆ ಪರಿಶೋಧಕರು ಫೇರುದಾರರಿಗೆ ಹೊಟ್ಟೆ ವರದಿಯಲ್ಲಿ ಭದ್ರತೆಗಾಗಿ ತೆಗೆದುಹೊಂಡ ಆಸ್ತಿಯ ಹಣವನ್ನು ವಾಪಾಸು ಪಡೆಯುವುದರ ಮೇಲೆ ನಿರ್ಧಾರವಾಗಿದೆ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಕಂಪನಿಯು ವರ್ಷಮೂಲ ಬಂಡವಾಳವನ್ನು ಉಪಯೋಗಿಸಿ 15% ಲಾಭಾಂಶವನ್ನು ಘೋಷಿಸುತ್ತದೆ. ಈ ರೀತಿಯ ನಡವಳಿಕೆಗೆ ಲೆಕ್ಕೆ ಪರಿಶೋಧಕರು ಅಥವಾ ನಿರ್ದೇಶಕರು ಜವಾಬ್ದಾರಾಗುತ್ತಾರೆಯೇ ?
