



**PRESIDENCY UNIVERSITY  
BENGALURU**

**SCHOOL OF LAW**

**MAKEUP EXAMINATION- JAN 2023**

**Course Code:** LAW 119

**Course Name:** Company Law II

**Program & Sem:** BALLB(Hons.)/BBALLB(Hons.)/BCOMLLB(Hons.)

**Date:** 20-JAN-2023

**Time:** 09.30 AM – 12.30 PM

**Max Marks:** 100

**Weightage:** 50%

**Instructions:**

(i) Read the all questions carefully before answering.

**Part A [Memory Recall Questions]**

**Answer all the Questions. Each question carries TWO marks. (10Qx 2M= 20M)**

- Q.NO. 1. Discuss the position of Director in a company. (C.O.No.1) [Knowledge level]
- Q.NO. 2. Write a note on member's voluntary winding up of a company. (C.O.No.4) [Knowledge level]
- Q.NO. 3. Write a note on liquidator. (C.O.No.4) [Knowledge level]
- Q.NO. 4. Write a note on removal of Directors. (C.O.No.1) [Knowledge level]
- Q.NO. 5. Explain 'just and equitable' grounds for compulsory winding up of a company. (C.O.No.4) [Knowledge level]
- Q.NO. 6. State the duties and powers of Tribunal with respect to reconstruction and amalgamation of a company. (C.O.No.4) [Knowledge level]
- Q.NO. 7. Discuss the provisions relating to prevention of oppression and mismanagement in a company. (C.O.No.3) [Knowledge level]
- Q.NO. 8. Write a note on 'Class Action Suit'. (C.O.No.3) [Knowledge level]
- Q.NO. 9. Explain 'Extraordinary general meeting'. (C.O.No.2) [Knowledge level]
- Q.NO. 10. Who can apply under section 241 of the Companies Act, 2013 to tribunal for relief in case of oppression? (C.O.No.3) [Knowledge level]

**Part B [Thought Provoking Questions]**

**Answer all the Questions. Each question carries TEN marks. (4Qx10M=40M)**

- Q.NO. 11. Explain the different kinds of company meetings. One company called annual general meeting in December 1999. This was adjourned to March 2000 and then held. Subsequent

meeting was held in February 2001. The company contended that a meeting was held in that year. Is the contention of the company is correct? (C.O.No.1-5) [Comprehension level]

Q.NO. 12. 'S' had subscribed the memorandum of a company for 200 shares. The company was duly registered but he ultimately took only 20 shares. At the winding up, company asked to pay for all the 200 shares. Is 'S' is liable to pay? (C.O.No. 4) [Comprehension level]

Q.NO. 13. Who can be appointed as a director of a company? Can a person who does not have 'Director Identification Number (DIN)' be appointed as a director in a company on an undertaking that he will apply and furnish DIN within one month from date of his appointment? (C.O.No. 2) [Comprehension level]

Q.NO. 14. Explain the meaning of the term "oppression" with reference to decided cases and discuss the conditions of relief laid down under statutory provision. (C.O.No. 3) [Comprehension level]

### **Part C [Problem Solving Questions]**

**Answer all the Questions. Each question carries TWENTY marks. (2Qx20M=40M)**

Q.NO. 15. "Majority has its way but minority has its say." Examine in light of decided case laws and relevant provisions of the Companies Act, 2013. (C.O.No. 3) [Application level]

Q.NO. 16. "A director of a company stands in a fiduciary relationship towards the company and shall observe utmost good faith towards the company in any transaction with it or on behalf of it." Critically examine the above statement and mention the other duties of directors with decided cases. (C.O.No. 2) [Application level]