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3 SEM LLB(N) 4 COMPANY

2011

(December)

COMPANY LAW

Paper : 304

(New Course)

Full Marks – 80

Pass Marks – 32

Time – Three hours

The figures in the margin indicate full marks for the questions.

Answer any *four* of the following short notes

4×4=16

- (a) Compromises
- (b) Protection of employees
- (c) Registrar of companies
- (d) Annual Returns
- (e) Statement in lieu of Prospectus
- (f) Preliminary expenses.

2. What are the different kinds of share capital a company can issue under the Companies Act, 1956? What are the provisions regarding further issue of share capital? $8+8=16$

Or

Define the term 'debenture'. Give the difference between shareholder and debenture holder.

$6+10=16$

3. What charges must be registered with the Registrar of companies? Who can register the charge? State the consequences of non-registration of charges.

$8+2+6=16$

Or

What is charge? Distinguish between fixed charge and floating charge. When does a floating charge become fixed charge?

$4+8+4=16$

4. What are the general powers of the Board of Directors? Which are the powers only to be exercised at a meeting of the board of Directors? What are the limits on the powers of the Board?

$4+6+6=16$

Or

Who is a manager of a company? Discuss the provisions of the Companies Act relating to appointment, disqualification and payment of remuneration to a manager.

$4+12=16$

5. State the grounds on which Tribunal can wind up the company. Who can file petition for winding up of company ?

10+6=16

Or

State the facts and principles of law laid down in –

16

Official Liquidator, Suprime Bank Ltd.

Vs.

P. A. Tendulkar (AIR 1973 SC 1104)

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