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**1st SEMESTER EXAMINATION – BBA
NOV – DEC 2009**

**BUSINESS REGULATORY
FRAMEWORK
(HONOURS)**

BRFA3101

Thursday, December 17, 2009

09:30 am to 11:30 am

Time allowed: 2 hours

Full Marks: 50

Instructions:

- Use fountain pen or ball-point pen of blue or black ink.
- Answer in own words as far as practicable.
- Do not write anything on the Question paper other than Roll No.

GROUP - A

Answer **any five** questions:

(5x2=10)

1. Consider the following statements and state with reason whether they are correct or false:
 - (a) Performance of the conditions of a proposal is an acceptance of the proposal.
 - (b) The passing of property from the seller to the buyer is the most important incident in a contract for the sale of goods.
 - (c) Every holder in due course is a holder but every holder may not be a holder in due course.
 - (d) A certificate of incorporation cannot be challenged on any grounds whatsoever.
 - (e) Does mere silence always amounts to fraud?
 - (f) A person of unsound mind cannot enter into a contract.
 - (g) A company is regarded as a legal person, it is not a citizen.
 - (h) A contract without consideration is not enforceable in the court of law.

GROUP - B

Answer **any four** questions:

(4x10=40)

2. (a) What is implied 'condition' in case of a sale by sample? Can a contract be avoided if such a condition is breached?
(b) Critically analyse the Doctrine of Caveat Emptor. (3 + 7)
3. (a) Explain the term "Free Consent".
(b) "Mistakes can be bilateral as well as unilateral." – Discuss with relevant cases. (2 + 8)
4. Critically analyse the Doctrine of Subsequent Impossibility with relevant cases. (10)
5. (a) Define the term consumer in the Consumer Protection Act, 1986.
(b) What is the Jurisdiction of a Consumer Disputes Redressal Forum? (5 + 5)
6. (a) Discuss the various types of endorsements under Negotiable Instruments Act of 1881.
(b) What is the difference between a special crossing and a restrictive crossing of a cheque?
(7+3)
7. Write short notes on **any two**: (2 x 5 = 10)
 - (a) Misstatements in a prospectus and its remedies.
 - (b) Notice of a General Meeting.
 - (c) Object clause of a Memorandum of Association and its alteration.
 - (d) Annual General Meeting.
