

Unique Paper Code : 52414303  
Name of the Paper : Company Law (Nov/Dec 2021)  
Name of the Course : B.Com (Programme)  
Semester : III

Duration: 3 hours  
75

Maximum Marks:

**Instructions for Candidates**

**Note:** Answers may be written *either* in English or in Hindi; but the same medium should be used throughout the paper.

**Attempt any four questions.**

**All questions carry equal marks.**

**Q1.** The fundamental attribute of corporate personality is that company is a legal entity different from its members but still the court may disregard it under a few circumstances. Elucidate the statement citing relevant case laws.

**Q2.** “An outsider is presumed to know the constitution and the statutory public documents of a company, but not what may or may not have taken place within the doors that are closed to him”. Explain with reference to the relevant doctrine with exceptions, if any.

**Q3.** XYZ Ltd. is a public company. The company wants to appoint Ms. Namrata as the director in the company. Discuss the methods by which she may be appointed director in the company as laid down by the Companies Act 2013. Can the directors of a company be removed during their term of office?

**Q4.** What do you mean by “buy back of securities” Explain the legal provisions related to buy -back of shares by the company as per the Companies Act in this regard.

**Q.5** What is Annual General Meeting? The Annual General Meeting of the Z Ltd. was scheduled to be held on 30th December 2019. Due to insufficient quorum, it had to be adjourned. What rules should be followed while adjourning the meeting? What is the quorum required for Z Ltd. (The company had 10,090 members on the date)? What if the quorum is not present in a general meeting? Can a single member constitute quorum of a general meeting?

**Q6.** There are only two members of a company. They are also the directors of the company. But both are not on speaking terms. Can the company be wound- up on this ground? Give reasons. Discuss in detail the circumstances under which a company may be compulsory wound up by the Tribunal under the Companies Act.

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