

Roll No.

Time allowed : 3 hours

Maximum marks : 100

Total number of questions : 6

Total number of printed pages : 4

NOTE : Answer ALL Questions.

1. Draft the following :

- (a) Notice of Annual General Meeting for XYZ Ltd in which only ordinary businesses are to be transacted. Assume other facts, if required.
- (b) A specimen of Arbitration Agreement between two private companies to refer the dispute to two Arbitrators. On the assumed facts, examinee is expected to write minimum five main stipulations of the agreement.
- (c) Mr. AB is a *Karta* of AB-HUF a Joint Family. Family is engaged in various businesses and one of its business suffered heavy losses. With a view to fund the losses and its debts, AB-HUF decided to sale one of its property. You are required to draft a Deed of Sale of Joint Family Property. Assume other facts, if required.
- (d) A specimen of affidavit in support of Special Leave Petition filed before the Hon'ble Supreme Court of India. Assume facts, if required.

(5 marks each)

Attempt all parts of either Q. No. 2 or Q. No. 2A

2. Answer the following :

- (a) Discuss the stages of Criminal Trial in Summons Cases.
- (b) Elucidate eight principles which a draftsman should keep in mind while drafting.
- (c) 'Assignment of Patent is not valid until it is in writing', comment and discuss the relevant provisions. Is registration of assignment of patent is compulsory ?
- (d) 'A Company Secretary should not render any fraudulent or misleading opinion'. Discuss.

(4 marks each)

: 2 :

OR (Alternate question to Q. No. 2)

- 2A. (i) Write a note on *testimonium* clause of a Deed.
- (ii) What are the considerations to be taken into account in the case of the words used in an agreement are found ambiguous ?
- (iii) 'Objects of Trust must be lawful. Trust whose purpose is unlawful is void.' Discuss.
- (iv) Discuss the salient points to be kept in mind as a Company Secretary while drafting a contract of Appointment of a person as Managing Director of the Company.
- (4 marks each)

Attempt all parts of either Q. No. 3 or Q. No. 3A

3. Explain the following :
- (a) Delegation of powers by Board of Directors.
- (b) Is attestation, registration and stamping is necessary for an Agreement ?
- (c) Main characteristics of the Equitable Mortgage.
- (d) *Facta probanda* and *Facta probantia*.
- (4 marks each)

OR (Alternate question to Q. No. 3)

- 3A. Distinguish between the following :
- (i) Appeal and Review.
- (ii) Conveyance and Contract.
- (iii) Power of Attorney and Letter of Authority.
- (iv) Memorandum of Association and Articles of Association. (any four attributes of distinction).
- (4 marks each)

: 3 :

4. In the light of Judicial pronouncement(s) discuss the following :

- (a) Stamp Duty and Registration of Gift Deed.
- (b) Surrender of Lease is not a transfer.
- (c) Enforceability of Shareholders Agreement in India.
- (d) There is no particular format for making Complaint.

(4 marks each)

5. (a) XYZ Ltd wishes to shift its registered office from Maharashtra to Rajasthan. Draft a notice to convene Extraordinary General Meeting for this purpose along with Note and Explanatory Statement. Assume other facts, if required.

- (b) Mr. X is an owner of a Bungalow situated at Jaipur. He has given the said Bungalow on rent to Mr. A at a monthly rent of ₹ 50,000. As per the rent agreement tenant has to pay rent before 10th of every month. Failure to pay rent in time for continuous two months will empower the owner to force the tenant to vacate the Bungalow before the expiry of agreement. Tenant Mr. A is not paying rent for last three months. Notice have been served on the tenant Mr. A to vacate the Bungalow and pay the rent due to him. However, no response in this regard is received by the owner. Now Mr. X, the owner of the Bungalow wants to file the suit for Ejectment and recovery of arrear of rent.

Draft appropriate suit to be filed before the Court of Small Causes. Assume other necessary facts, if required.

(8 marks each)

6. (a) Discuss Engrossment and Stamping of a Deed.
(b) Explain Interlocutory Proceedings and Interlocutory Orders.
(c) Draft a Specimen of Revocation of Trusts. Assume facts.
(d) 'Opinions considered inappropriate due to certain reasons'. Explain with illustrations.

(4 marks each)

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