

LTC

Roll No.

Total No. of Printed Pages : 12

Total No. of Questions : 11

Maximum Marks : 100

Time allowed : 3 Hours

IMPORTANT INSTRUCTIONS TO CANDIDATES

1. Questions in Section A are to be answered in the medium opted by the candidate. If a candidate has not opted for Hindi medium, his/her answers in Hindi, will not be evaluated.
2. Questions in Section B, are to be answered in English only, by all the candidates, including those who have opted for Hindi medium.
3. Answers to both the Sections are to be written in the same answer book.

SECTION A — (60 Marks)

Question No. 1 is compulsory.

Answer any **FOUR** questions from the remaining **FIVE** questions.

1. (a) X found a wallet in a restaurant. He enquired of all the customers present there but the true owner could not be found. He handed over the same to the manager of the restaurant to keep till the true owner is found. After a week he went back to the restaurant to enquire about the wallet. The manager refused to return it back to X, saying that it did not belong to him.

In the light of the Indian Contract Act, 1872, can X recover it from the Manager?

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(b) Mr. Anil formed a One Person Company (OPC) on 16th April, 2018 for manufacturing electric cars. The turnover of the OPC for the financial year ended 31st March, 2019 was about Rs. 2.25 Crores. His friend Sunil wanted to invest in his OPC, so they decided to convert it voluntarily into a private limited company. Can Anil do so?

(4 Marks)

(c) State the various essential elements involved in the sale of unascertained goods and its appropriation as per the Sale of Goods Act 1930.

(4 Marks)

2. (a) Define consideration. What are the legal rules regarding consideration under the Indian Contract Act, 1872?

(7 Marks)

(b) Discuss the conditions under which LLP will be liable and not liable for the acts of the partner.

(5 Marks)

3. (a) (i) When the continuing guarantee can be revoked under the Indian Partnership Act, 1932?

(2 Marks)

OR

(ii) What do you mean by Goodwill as per the provisions of Indian Partnership Act, 1932?

(2 Marks)

(b) With reference to the provisions of Indian partnership Act, 1932 explain the various effects of insolvency of a partner.

(4 Marks)

(c) Mr. Sonumal a wealthy individual provided a loan of Rs. 80,000 to Mr. Datumal on 26.02.2019. The borrower Mr. Datumal asked for a further loan of Rs. 1,50,000. Mr. Sonumal agreed but provided the loan in parts at different dates. He provided Rs. 1,00,000 on 28.02.2019 and remaining Rs. 50,000 on 03.03.2019.

On 10.03.2019 Mr. Datumal while paying off part Rs. 75,000 to Mr. Sonumal insisted that the lender should adjusted Rs. 50,000 towards the loan taken on 03.03.2019 and balance as against the loan on 26.02.2019.

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Mr. Sonumal objected to this arrangement and asked the borrower to adjust in the order of data of borrowal of funds.

Now you decide:

- (i) Whether the contention of Mr. Datumal correct or otherwise as per the provisions of the Indian Contract Act 1872?
- (ii) What would be the answer in case the borrower does not insist on such order of adjustment of repayment?
- (iii) What would the mode of adjustment/appropriation of such part payment in case neither Mr. Sonumal nor Mr. Datumal insist any order of adjustment on their part? (6 Marks)

4. (a) What are the rights of an unpaid seller against goods under the Sale of Goods Act, 1930? (6 Marks)

(b) Master X was introduced to the benefits of partnership of M/s ABC & Co. with the consent of all partners. After attaining majority, more than six months elapsed and he failed to give a public notice as to whether he elected to become or not to become a partner in the firm. Later on, Mr. L, a supplier of material to M/s ABC & Co., filed a suit against M/s ABC & Co. for recovery of the debt due.

In the light of the Indian Partnership Act, 1932, explain:

- (i) To what extent X will be liable if he failed to give public notice after attaining majority?
- (ii) Can Mr. L recover his debt from X? (6 Marks)

5. (a) Mrs. Geeta went to the local rice and wheat wholesale shop and asked for 100 kgs of Basmati rice. The Shopkeeper quoted the price of the same as Rs. 125 per kg to which she agreed. Mrs. Geeta insisted that she would like to see the sample of what will be provided to her by the shopkeeper before she agreed upon such purchase.

The shopkeeper showed her a bowl of rice as sample. The sample exactly corresponded to the entire lot.

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The buyer examined the sample casually without noticing the fact that even though the sample was that of Basmati Rice but it contained a mix of long and short grains.

The cook on opening the bags complained that the dish if prepared with the rice would not taste the same as the quality of rice was not as per requirement of the dish.

Now Mrs. Geeta wants to file a suit of fraud against the seller alleging him of selling mix of good and cheap quality rice. Will she be successful?

Explain the basic law on sale by sample under Sale of Goods Act 1930?

Decide the fate of the case and options open to the buyer for grievance redressal as per the provisions of Sale of Goods Act 1930?

What would be your answer in case Mrs. Geeta specified her exact requirement as to length of rice? (6 Marks)

(b) "The Memorandum of Association is a charter of a company". Discuss. Also explain in brief the contents of Memorandum of Association. (6 Marks)

6. (a) Explain the term 'Coercion' and what are the effects of coercion under Indian Contract Act, 1872. (5 Marks)

(b) "Dissolution of a firm is different from dissolution of Partnership". Discuss. (4 Marks)

(c) A, an assessee, had large income in the form of dividend and interest. In order to reduce his tax liability, he formed four private limited company and transferred his investments to them in exchange of their shares. The income earned by the companies was taken back by him as pretended loan. Can A be regarded as separate from the private limited company he formed? (3 Marks)

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SECTION B — (40 Marks)

Question No.7 is compulsory.

Answer any **THREE** questions from the remaining **FOUR** questions.

7. (a) Read the passage carefully and answer the questions given below :

Being the daughter of a physics professor, Marie who was born in 1867 in Warsaw, Poland, was greatly influenced by the wonders of Science and technology. Since an early age, she displayed a blithe personality. Her fascination for learning prompted her to continue with her studies even after school. She become disgruntled, however, when she learned that the university in Warsaw was closed for women. Determined to complete higher education, she defiantly left Poland and in 1891 entered the Sorbonne, a French university, where she completed her doctorate in physics. 2

Marie met Pierre Curie at the Sorbonne along with some of the other greatest scientists of her day. Marie and Pierre were married in 1895 and spent many productive years working together in the physics laboratory. A short time after they discovered radium, Pierre was killed by a horse-drawn wagon in 1906. For Marie it was an horrible misfortune and heartbreaking event. Despondently she recalled their close relationship and the joy that they had shared in scientific research. The fact that she had two young daughters to raise by herself greatly increased her distress.

- 3 Curie's feeling of desolation finally began to fade when she was asked to succeed her husband as a physics professor at the Sorbonne. She was the first woman to be given a professorship at the world-famous university. In 1911 she received the Nobel Prize in physics for isolating radium. Although Marie Curie eventually suffered a fatal illness from her long exposure to radium, she never became disillusioned about her work. Regardless of the consequences, she had dedicated herself to science and to revealing the mysteries of the physical world.

- (i) What did Marie did not like about the Warsaw University? (1 Mark)
- (ii) What was first step that Marie took towards her becoming a scientist? (1 Mark)
- (iii) How did Marie deal with the desolation caused by her husband's death? (1 Mark)
- (iv) Write a Summary of the above Passage. (2 Marks)

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(b) Read the Passage :

(i) Make Notes, using Headings, Subheadings and abbreviations whenever necessary. (3 Marks)

(ii) Write summary (2 Marks)

People do not always do the things we want them to do. No matter how reasonable or minimal our expectations may be, there are times when we are let down. Naturally, we feel upset and hurt when our expectations are not met. We dread confrontations because they are unpleasant and can damage relationships.

Yet not confronting a person does not solve the problem because unresolved issues also affect relationships in an adverse way. Actually, the real problem lies in our style of confrontation, not in the issue.

Typically, we use character-based confrontations. They help in venting our anger and hurt, but that is the only thing they do. They lead to angry show-downs and bring all discussions to a grinding halt. It is important to remember that self-image is the most important possession of all human beings.

It is the way we view and regard ourselves in our own eyes and in the eyes of others. As self-conscious beings, we are actually aware of our image and constantly work towards protecting it from any damage.

We also seek approval from others about our own self-image. We feel distraught if we sense that there is even a slight threat to our self image, because our character is the essence of our lives. To ensure a rational dialogue over dashed expectations, we need to deploy issued based confrontations. They involve an explanation of which actions have bothered us, in what manner and what changes we would like from the other person.

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8. (a) Discuss the process of communication. (2 Marks)

(b) (i) Choose the word which best expresses the meaning of the given word :

(1 Mark)

Abundant

(1) ~~Plentiful~~

(2) Sufficient

(3) Enough

(4) Many

(ii) Select a suitable antonym for the word given under:

(1 Mark)

Adumbrate

(1) Elaborate

(2) Summarize

(3) Angry

(4) Happy

(iii) Change the following sentence to indirect speech:

Reena said, "Nobody can solve the problem on the earth".

(1 Mark)

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- (c) Write a Précis and give appropriate title to the passage given below:

DNA degrades quickly after an animal dies, so researchers once believed it impossible to find ancient genetic material. The search for primeval vestiges of DNA took off in the late 1980s after the development of a technique called polymerase chain reaction (PCR), which copies minute quantities of DNA. Armed with PCR, scientists could look for tiny fragments of DNA that might have weathered the millennia unharmed.

In recent years, researchers have isolated DNA from 20-million-year-old magnolia leaves and extracted DNA from a 135-million-year-old weevil found in amber. Recently, a team extracts DNA from bone dating back millions of years for the first time. In the frenzied hunt for ancient DNA, microbiologist Scott R. Woodward may have bagged the biggest quarry. Drawing on lessons learned while growing up among the fossil-rich rocks of eastern Utah, Woodward and his team became the first people to find genetic material belonging to a dinosaur.

Woodward, whose grandfather was a coal miner, knew that mines in the area often contained dinosaur traces. After six months of looking Woodward pulled two bone fragments from a Cretaceous siltstone layer directly a top a coal seam. Impeded by an unstable mine roof, Woodward's team could not recover any more bone samples. The siltstone apparently inhibited fossilization and preserved much of the original cell structure in the bone. Researchers isolated strands of DNA from both fragments and used PCR to copy a segment that codes for a protein called cytochrome b. Once they had made many copies, they could determine the DNA sequence.

Throughout their work, the biologists took precautions to avoid contaminating the samples with modern DNA or ancient material found within the coal. According to Woodward, circumstantial evidence indicates that the bone fragments belong to one or two species of dinosaurs. Dinosaur tracks are abundant in this coal formation, and the bones visible in the mine were larger than those of a crocodile – the biggest non-dinosaur known in these rocks.

(5 Marks)

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- ~~9.~~ (a) (i) Discuss the term "Visual Communication" in communication. (2 Marks)

OR

- (ii) What do you mean by an "Attitude Barrier"? (2 Marks)

- (b) (i) Choose the word which best expresses the meaning of the given word: (1 Mark)

Relevant

- (1) Related
- (2) Important
- (3) Pertinent
- (4) Common

- (ii) Choose the word which best expresses the meaning of the given word: (1 Mark)

Unabashed

- (1) Not fast
- (2) Not Finding
- (3) Not Embarrassed
- (4) Not Angry

- (iii) Change the following sentence to indirect speech: (1 Mark)

He said, "Will you all come for the meeting?"

- (c) Draft Newspaper Report on "Flood situation grim in southern, western states" to be published in a National newspaper. (5 Marks)

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10. (a) Explain how emotional awareness and control helps in communication? (2 Marks)

(b) (i) Change the sentence from Active to Passive Voice. (1 Mark)

The audience loudly cheered the Prime Minister's speech.

(ii) Change the sentence from Passive to Active Voice (1 Mark)

The Bird was killed by a cruel boy.

(iii) Change the following sentence to indirect speech. (1 Mark)

He said, "My Mother is writing letters".

(c) Write an article of about 250 words on the topic, "The importance of water conservation" (5 Marks)

11. (a) Define the areas where chain network of communication is found in an organization. (2 Marks)

(b) Select the correct meaning of Idioms/Phrases given below:

(i) Takes Two to Tango (1 Mark)

(1) Two people are required for dancing

(2) Two people are required for creating mischief.

(3) Two people required to clean floor.

(4) Two people required to help others.

(ii) Storm in a teacup (1 Mark)

(1) Crave for something

(2) Least importance

(3) Emergency situation

(4) Make a big issue out of a small thing.

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(iii) Change the sentence into Active Voice: (1 Mark)
They will be given a ticket for over speeding by the police inspector.

(iv) Choose the word which best expresses the meaning of the given word. (1 Mark)

Myriad

(1) Dramatic

(2) To Fetch

(3) Many

(4) Confusion

(c) Write a letter to a bank requesting them to stop payment of a cheque which has been reported lost. (4 Marks)

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