

**GUJARAT TECHNOLOGICAL UNIVERSITY**  
**MBA-SEMESTER-IV-EXAMINATION-WINTER-2024**

**Subject Code: 4549281****Date: 16/12/2024****Subject Name: Legal Aspects of Business****Time: 02:30 PM TO 05:30 PM****Total Marks: 70****Instructions:**

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.
4. Use of simple calculators and non-programmable scientific calculators are permitted.

| <b>Q. No.</b> | <b>Question Text and Description</b>                                                                                                                                                                                                                                                        | <b>Marks</b> |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Q.1</b>    | (a) What is an Agreement?<br>(b) Define Indemnity under the Indian Contract Act.<br>(c) What is Memorandum of Association?<br>(d) Define Partnership.<br>(e) What is the basic difference between Patent and Copyright?<br>(f) Define Consumer Dispute.<br>(g) What is a Digital Signature? | <b>14</b>    |
| <b>Q.2</b>    | (a) Explain the remedies available for breach of contract under the Indian Contract Act, 1872                                                                                                                                                                                               | <b>07</b>    |
|               | (b) What is Prospectus? What details are supposed to be included in a Prospectus?                                                                                                                                                                                                           | <b>07</b>    |
| <b>OR</b>     |                                                                                                                                                                                                                                                                                             |              |
|               | (b) Explain the rights and duties of a trustee under the Indian Trusts Act.                                                                                                                                                                                                                 | <b>07</b>    |
| <b>Q.3</b>    | (a) What is Bailment under Indian Contract Act, 1872? What are the Essential Elements of Bailment?                                                                                                                                                                                          | <b>07</b>    |
|               | (b) Elaborate on the features and rights of an unpaid seller under the Sale of Goods Act, 1930.                                                                                                                                                                                             | <b>07</b>    |
| <b>OR</b>     |                                                                                                                                                                                                                                                                                             |              |
| <b>Q.3</b>    | (a) Explain the mutual rights and liabilities of partners under the Partnership Act.                                                                                                                                                                                                        | <b>07</b>    |
|               | (b) Discuss the process of GST registration and its importance for businesses.                                                                                                                                                                                                              | <b>07</b>    |
| <b>Q.4</b>    | (a) Analyze the key provisions and penalties under the Environmental Protection Act.                                                                                                                                                                                                        | <b>07</b>    |
|               | (b) What is Trademark? What are the remedies for Trademark infringement under IPR laws.                                                                                                                                                                                                     | <b>07</b>    |
| <b>OR</b>     |                                                                                                                                                                                                                                                                                             |              |
| <b>Q.4</b>    | (a) Discuss cybercrimes under the IT Act, 2000, and their impact on businesses.                                                                                                                                                                                                             | <b>07</b>    |
|               | (b) Who is a Consumer under Consumer Protection Act? Who is not included under the definition Consumer? What are the rights of a Consumer?                                                                                                                                                  | <b>07</b>    |

**Q.5**

**CASE STUDY:**

Mona Enterprises Pvt. Ltd. sold machinery to Sona India Ltd. for ₹1,00,000, and Sona India Ltd. issued a cheque for the full amount, dated 30th September 2024.

When the cheque was presented for payment, it was returned by the bank with the remark “Insufficient Funds.”

Mona Enterprises sent a legal notice to Sona India Ltd. requesting payment within 15 days, but no response was received. Mona Enterprises is now considering legal action under the Negotiable Instruments Act, 1881.

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|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| (a) | Discuss the legal provisions under the Negotiable Instruments Act, 1881 related to the dishonour of a cheque and the steps Mona Enterprises can take to recover the amount. | <b>07</b> |
| (b) | d) If Sona India Ltd. does not pay the amount even after the legal notice, what legal actions can Mona Enterprises initiate under the Negotiable Instruments Act, 1881?     | <b>07</b> |

**OR**

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|------------|-----|---------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>Q.5</b> | (a) | Explain the concept of penalty for dishonour of a cheque under the Negotiable Instruments Act, 1881, and how it applies in this case. | <b>07</b> |
|            | (b) | What is the role of the legal notice in the dishonour of a cheque case, and what are the consequences of not responding to it?        | <b>07</b> |

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