

**K. J. SOMAIYA INSTITUTE OF MANAGEMENT STUDIES AND RESEARCH,  
Vidyavihar, Mumbai- 400077**

**Program: PGDM (IB) (Batch2018-20)- I TRIM  
Subject: Business & Corporate Law**

**Date: 21st September, 2018**

**Total Marks: 50**

**Duration: 3 Hours**

**SECTION – I**

- **Section -1 is compulsory**
- **Substantiate your answers with reasons** **(10 Marks)**

1. Under a contract, an equipment leasing company was to hire out a crane to a construction company for three days, starting from December 10. The leasing company informed the construction company on December 6 that they would not be able to supply the equipment. The construction company responded that the equipment was a specialized one and that they would not be able to arrange for an alternative at such a short notice. Thus, the leasing company should supply the equipment as contracted. Having made the communication, not sure that the leasing company would supply the equipment, the construction company temporarily suspended its operations at the site and informed the leasing company on December 9, not to supply the equipment. On December 10, the leasing company supplied the crane but the construction company refused to accept it. Both the parties are claiming damages from the other.

- a. Which type of breach is this?
- b. Who would succeed? Why?
- b. What remedies would be available to the aggrieved party?

## SECTION– II

- **Attempt any 4 questions.**
- **Demonstrate your understanding of the concepts through the CASE STUDIES discussed in the class. (4X6=24Marks)**

1. Doctrine of Layering
2. Illegal Agreements
3. Private Placement
4. Related Party Transactions
5. General Anti Avoidance Rule

## SECTION– III

- **Attempt any 2 questions.**
- **Comment on the following statements. (2X8=16Marks)**

- 1.” All contracts are agreements but all agreements are not contracts.”
- 2.” The risk follows the ownership, irrespective of whether the delivery has been made or not.”
3. “One Person Company is a perfectly valid company.”

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