

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

**Program: PGDM (IB) (Batch2017-19)
Subject: Business & Corporate Law**

Date: 29th September, 2017

Total Marks: 50

Duration: 3 Hours

Part – I

Instructions:

- a. Answer any 2**
- b. Critically think and comment on the following statements.**

(2x10 Marks =20

Marks)

1. “Subsidiaries are a common feature of business life, and most multinational corporations organize their operations in this way. The most common way that control of a subsidiary is achieved is through the ownership of shares by the parent. There are, however other ways that control can come about, and the exact rules both as to what control is needed and how it is achieved, can be complex.”

2. “Any civilized system of law is bound to provide remedies for cases of what has been called unjust enrichment or unjust benefit, that is, to prevent a man from retaining the money of another which is against conscience that he should keep. However if money is advanced by way of capital for carrying on illegal partnership, such advance is not recoverable having regard to the principle, *exturpi causa non oritur actio*. “

3. “Companies Act, 2013 incorporated many provisions and reforms, established the responsibility and accountability of auditors, defined related parties to a company to include its holding, subsidiary, and associate companies and also insisted on companies having independent directors.”

Part – II

Instructions:

- a. Answer any 5
- b. Who, What, When, Where, Why and How questions. (5x6 Marks =30Marks)

1. When does ownership of goods pass to a purchaser?
2. What remedies are available if a contract is broken?
3. Who are Members, Directors and Promoters?
4. What is needed for a contract to exist?
5. How is a company different from its owners?
6. Why and how are a company's rules made?

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