


Name:			
Enrolment No:			
UPES End Semester Examination, December 2023			
Course: Company Law II Program: LL.B (3year) Course Code: CLCC 2028		Semester : III Time : 03 hrs. Max. Marks: 100	
Instructions: All questions are compulsory. Kindly attempt all parts of a question together.			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1.	Define Borrowing and its types.	2	CO1
Q 2.	Define Demerger.	2	CO1
Q 3.	Explain powers of NCLAT.	2	CO1
Q 4.	Briefly explain the methods by which the reconstruction of a company can be carried out.	2	CO1
Q 5.	Explain Condition to file “Class Action suit” under Companies Act 2013.	2	CO1
SECTION B (4Qx5M= 20 Marks) Short answer type questions			
Q 6.	Explain the provisions of compromise during the Winding up of a Company?	5	CO2
Q 7.	Explain Various committees constituted under the Act and their advantages.	5	CO2
Q 8.	Explain Charge and its type, with the help of leading case laws?	5	CO2
Q 9.	Explain the doctrine of Indoor Management and Constructive notice.	5	CO2
SECTION-C (2Qx10M=20 Marks) Long answer type questions			
Q 10.	“M/s XYZ Limited is being wound up by the Court.” Analyze and explain the process of wound up of companies as per the Companies Act, 2013, Support your answer with leading case laws.	10	CO3

Q 11.	<p>The AGM alone is the Company's primary organ and Directors are merely the company's agents or servants at all the time subservient to the general meeting of a Company on requisition?</p> <p>Analyze and explain the statement with the help of Case Laws.</p>	10	CO3
<p>SECTION-D (2Qx25M=50 Marks) Case study-based questions</p>			
Q 12.	<p>ABC Corporation is a publicly traded company with significant financial resources. The company's board of directors is considering various financial strategies related to borrowing powers, investments, loans, and deposits.</p> <p>Evaluate the following scenarios and provide explanations for their financial implications based on below mentioned conditions:</p> <p>A. ABC Corporation decides to extend loans to its subsidiary at a below-market interest rate to help with its growth. What are the advantages and disadvantages of this approach for both ABC Corporation and its subsidiary?</p> <p>B. ABC Corporation is considering depositing its excess funds in a high-yield savings account with an online bank. Analyze the liquidity and interest rate risk factors associated with this decision.</p>	<p>25 (15+10 Marks)</p>	<p>CO4</p>
Q 13.	<p>Problem Question (25 Marks):</p> <p>XYZ Ltd is a medium-sized manufacturing company facing financial difficulties. The company's management is exploring various options to improve its financial situation, and they are considering three potential strategies: Compromise, Arrangement, and Amalgamation.</p> <p>1. Compromise: The company is considering negotiating with its creditors to settle its debts at a reduced amount, which will provide some immediate relief.</p> <p>2. Arrangement: Another option is to enter into a formal arrangement with its creditors to restructure the debt, extend payment terms, and potentially reduce the interest rate.</p> <p>3. Amalgamation: The company is also contemplating merging with a larger, financially stable company in the same industry to benefit from economies of scale and improve its overall financial position.</p> <p>Question</p>	<p>25</p>	<p>CO4</p>

	<p>The management is seeking your expert advice on which strategy to pursue to address their financial difficulties effectively.</p> <p>Consider the advantages, disadvantages, legal implications, and potential outcomes of each strategy. Provide a recommendation based on your analysis also support your answer with leading case Laws.</p>		
--	---	--	--