

Roll No. ....

Total No. of Printed Pages : 12

Total No. of Questions : 11

Maximum Marks : 100

Time allowed : 3 Hours

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**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)**Compiler Pg 54 Q24  
RTP May 2022

Question No. 1 is compulsory.

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

1. (a) Sheena was a classical dancer. She entered into an agreement with Shital Vidya Mandir for 60 dance performances. As per the contract, she was supposed to perform every weekend and she will be paid ₹10,000/- per performance. However, after a month, she was absent without informing, due to her personal reasons. Answer the following questions as per the Indian Contract Act, 1872. **4**
- S<sup>n</sup> 40
- (i) Whether the management of Shital Vidya Mandir has right to terminate the contract? **Yes - can terminate**
  - (ii) If the management of Shital Vidya Mandir informed Sheena about its continuance, can the management still rescind the contract after a month on this ground subsequently? **given assent - cannot terminate**
  - (iii) Can the Shital Vidya Mandir claim damages that it has suffered because of this breach in any of the above cases? **Yes - cannot terminate but can claim damages**

- explain doctrine of indoor management
- case law - Royal British Bank (2) v Turquand

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Marks

Compiler Pg 146 Q3

- (b) The Articles of Association of Aarna Limited empowers its managing agents to borrow loans on behalf of the company. Ms. Anika, the director of the company, borrowed ₹ 18 Lakhs in name of the company from Quick Finance Limited, a non-banking finance company. Later on, Aarna Limited refused to repay the money borrowed on the pretext that no resolution authorizing such loan have been actually passed by the company and therefore the company is not liable to pay such loan.

4

Decide whether the contention of Aarna Limited is correct in accordance with the provisions of the Companies Act, 2013?

No. Company is bound to pay the loan

- (c) What are the consequences of destruction of specified goods, before making of contract and after the agreement to sell under the Sale of Goods Act, 1930.

4

Law Book Pg 176

(My list of imp Qs - May 22)

2. (a) "The general rule is that an agreement made without consideration is void."

7

State the exceptions of this general rule as per the Indian Contract Act, 1872.

- (b) Explain the incorporation by registration of a Limited Liability Partnership and its essential elements under the LLP Act, 2008.

5

Law Bk Pg 254 (My list of imp Qs - May 22)

3. (a) (i) What do you mean by 'Partnership for a fixed period' as per the Indian Partnership Act, 1932?

2

Law Book Pg 137

- (ii) Can a minor become a partner in a partnership firm? Justify your answer and also explain the rights of a minor in a partnership firm.

4

S30

Law Book Pg 139

(My list of imp Qs - May 22)

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(b) Srishti, a minor, falsely representing her age, enters into an agreement with an authorised Laptop dealer Mr. Gupta, owner of SP Laptops, for purchase of Laptop on credit amounting ₹ 60,000/- for purchasing a laptop on 1<sup>st</sup> August 2021. She promised to pay back the outstanding amount with interest @ 16% p.a by 31<sup>st</sup> July 2022. She told him that in case she won't be able to pay the outstanding amount, her father Mr. Ram will pay back on her behalf. After One year, when Srishti was asked to pay the outstanding amount with interest she refused to pay the amount and told the owner that she is minor and now he can't recover a single penny from her. She will be adult on 1<sup>st</sup> January 2024, only after that agreement can be ratified. Explain by which of the following way Mr. Gupta will succeed in recovering the outstanding amount with reference to the Indian Contract Act, 1872.

6

- (i) By filing a case against Srishti, a minor for recovery of outstanding amount with interest? **Not recoverable**
- (ii) By filing a case against Mr. Ram, father of Srishti for recovery of outstanding amount? **No - minor cannot bind parent/guardian**
- (iii) By filing a case against Srishti, a minor for recovery of outstanding amount after she attains maturity? **Not recoverable - Ratification<sup>x</sup>**

✓ **Imp Qs list** **Law Book Pg 183**

**S<sup>n</sup> 17**

4. (a) What are the implied conditions in a contract of 'Sale by sample' under the Sale of Goods Act, 1930? Also state the implied warranties operative under the Act?

6

**Law Book Pg 185**

**S<sup>n</sup> 29** (b) M/S ABC Associates is a partnership firm since 1990. Mr. A, Mr. B and Mr. C were partners in the firm since beginning. Mr. A, Being a very senior partner of aged 78 years transfers his share in the firm to his son Mr. Prateek, a Chartered Accountant. Mr. B and Mr. C were not interested that Mr. Prateek join them as partner in M/S ABC Associates. After some time, Mr. Prateek felt that the books of accounts were displaying only a small amount as profit despite a huge turnover. [He wanted to inspect the book of accounts of the firm arguing that it is his entitlement as a transferee. However, the other partners believed that he cannot challenge the books of accounts.] Can Mr Prateek, be introduced as a partner if his father wants to get a retirement? As an advisor, help them resolve the issues applying the necessary provisions from the Indian Partnership Act, 1932.

6

**Law Book Pg 153**

**admission  
↓  
Consent of  
all partners**

**OR  
P.T.O.  
contract  
bet<sup>n</sup> partners**

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**during continuance - transferee cannot inspect  
after retirement of transferor or  
dissolution of firm - can inspect**

**Retirement**

**Good**

**Right**

CGS

Compiler Pg 121 Q19

5. (a) Sonal went to a Jewellery shop and asked the sales girl to show her diamond bangles with Ruby stones. The Jeweller told her that we have a lot of designs of diamond bangles but with red stones if she chooses for herself any special design of diamond bangle with red stones, they will replace red stones with Ruby stones. But for the Ruby stones they will charge some extra cost. Sonal selected a beautiful set of designer bangles and paid for them. She also paid the extra cost of Ruby stones. The Jeweller requested her to come back a week later for delivery of those bangles. When she came after a week to take delivery of bangles, she noticed that due to Ruby stones, the design of bangles has been completely disturbed. Now, she wants to terminate the contract and thus, asked the manager to give her money back, but he denied for the same. Answer the following questions as per the sale of Goods Act, 1930.

- (i) State with reasons whether Sonal can recover the amount from the Jeweller. *There is only an agr<sup>m</sup> to sell bet<sup>n</sup> parties. Ownership to be held only on completion of cond<sup>n</sup>s*
- (ii) What would be your answer if Jeweller says that he can change the design, but he will charge extra cost for the same? *cannot charge extra cost*

- (b) Explain the 'doctrine of ultra vires' under the Companies Act, 2013. What are the consequences of 'ultra vires' acts of the company? *(My list of imp Qs)*

Law Book Pg 240

6. (a) "Liquidated damage is a genuine pre-estimate of compensation of damages for certain anticipated breach of contract whereas Penalty on the other hand is an extravagant amount stipulated and is clearly unconscionable and has no comparison to the loss suffered by the parties". Explain the statement by differentiating between liquidated damages and penalty with reference to provisions of the Indian Contract Act, 1872. *Law BK Pg 120 (List of imp Qs)*

- (b) Explain the grounds on which court may dissolve a partnership firm in case of any partner files a suit for the same. *Law Book Pg 162*

① Natural person ②

- (c) *Resident* Mr. R is an Indian citizen, and his stay in India during the immediately preceding financial year is for 130 days. He appoints Mr. S, a foreign citizen as his nominee, who has stayed in India for 125 days during the immediately preceding financial year. Is Mr. R eligible to be incorporated as a One-Person Company (OPC)? If yes, can he give the name of Mr. S in the memorandum of Association as his nominee? *cannot be appt as Nominee*  
*Yes*  
*No*  
 Justify your answers with relevant provisions of the Companies Act, 2013. *(My list of imp Qs)*

*Resident* → Person who stays in India for > 120 days during immediately PFY

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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 given below and answer the questions that follows:

Electricity is the life force of modern world. The use of electricity in daily life at all levels is far too elaborate to be measured. The electric power has transformed human life into an amazing experience of convenience, luxury, comfort and ease. (A push by a finger to a button brings the light on and the same act sets hundreds of thousands of gadgets in action. This giant dinosaur has become slave of a human finger which now controls the electric power. It simply is a miracle, very real and more bountiful than any other thing available on the planet. The electricity has revolutionized our houses, drawing rooms and kitchen with useful equipment.

(The array of entertainment aids powered by electricity has created a fancy world around us.) The coming into the existence of a power like electricity that obeyed the command of the human finger's touch inspired the inventions and innovations of a mind boggling range of electric equipment. In fact, all the manmade machines or gadgets wholly or partly run on electricity.

It created wonders of entertainment like cinema, radio, television, other audio-video systems. The electricity has enabled the man go to space, land on moon and harness natural powers and resources. The mining, construction, irrigation, transport, printing and other industrial activities are dependent

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on electric power. Even the computers won't work any wonders without the electricity. The electricity has penetrated in our lives to such an extent that if it is cut off for some time, the life comes to a standstill. Today, the progress of a society or a nation or economy is so dependent on electric power that all the power generating resources and options are being exploited or explored so that we have unrestrained supply of electric power. Oil, coal, water, air, sun light, tidal waves and atomic phenomena are being used for power generation. The research on hydrogen as fuel and controlled fusion process are going on at feverish pitch.

The oil and coal are non-renewable resources. Hydel power has limitations as no new rivers can be created. Solar energy is yet costly to harness. The wind energy too has limitations. The tidal wave processes are yet at an experimental stage. And so are hydrogen and fusion ideas. Conventional atomic energy clearly is the best pollution free option but it entails the tricky problem of atomic waste disposal.

## Questions:

- (i) What has created a fancy world around us? 1
- (ii) What part of the human body controls the power of electricity? 1
- (iii) What happens when the electricity is cut off in the modern day city? 1
- (iv) Why hydel power has limitations? 1
- (v) Write one merit and demerit of nuclear power generation. 1

(b) Read the Passage :

Cholesterol is a wax like substance that is present in our body. It's an important component of our cell walls and other tissues, but it is considered to be harmful if in excess. It can lead to blockages caused by plaque formation in the heart's arteries causing heart disease and heart attacks. Such blockages can also happen in arteries, in the legs or in the brain. Cholesterol is produced in the liver, and the amount produced is influenced by our genes and many other factors. The food consumed by us has also an effect on cholesterol levels. Fatty foods, especially those high in saturated fats and foods high in simple sugars such as cold drinks increase cholesterol levels. Lack of physical activity and exercise also leads to elevated levels of cholesterol.

Cholesterol levels can be reduced by following a heart-healthy lifestyle, which includes regular physical activity for at least 30 minutes daily and a diet high in fruits and vegetables and low in saturated sugar. Statins are a group of drugs most recommended for those with high cholesterol. Red yeast rice has been shown to be effective in lowering cholesterol. Garlic and flaxseed can be included in the daily diet. Olive oil, Canola oil or other oils rich in monounsaturated fatty acids can be used for cooking in order to reduce cholesterol through food.





The ill-effects of high cholesterol take time to show up, and one may not realise it until it's a bit too late. Cholesterol, by itself is important because it insulates nerve cells and membranes. Being a fatty substance, it does not dissolve in the blood and is packaged into protein. There are 'good' HDL cholesterol and 'bad' LDL cholesterol. Bad cholesterol can stick to the smooth lining of the blood vessels, where it is absorbed, while HDL mops up excess bad cholesterol and removes it from blood vessels. Even moderate physical activity on a regular basis can help increase HDL cholesterol.

Exercise five days a week, whether you are overweight or underweight. Aerobic exercises like walking, cycling, swimming, slow jogging, dancing etc. for 45 minutes, three times a week and anaerobic exercises like weight training, and sprinting for another three days will help increase good and reduce bad cholesterol. In order to maximize your cardiovascular fitness, aerobic exercises should raise your heart to a certain level. This level is called heart zone. One should keep the heart rate elevated for at least 20 minutes. Always warm-up, stretch, and relax before and after any workout to avoid injuries. All these contribute to a healthier and fitter life.

(i) Make notes, using headings, sub-headings and abbreviation wherever necessary giving a suitable title.

3

(ii) Write a summary.

2



8. (a) "A well dressed and groomed person is presumed to be organised and methodical, whereas a sloppy or shabby person fails to make a favourable impression". Discuss. 2

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

GERMANE

(1) Responsible

(2) Logical

(3) Possible

✓ (4) Relevant *to a subject under consideration*

- (ii) Select a suitable antonym for the word given under : 1

FIDELITY

*meaning*  
*(constancy)*

(1) Commitment

✓ (2) Inconstancy

(3) Ambitious

(4) Devotion

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

'Why don't you go away for a few days?' Jenifer said to me.

*Jenifer asked me why I didn't go away for a few days*

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

5

We are bombarded by noise and sound in all our waking hours. We 'hear' conversations, news, gossips and many other forms of speech all the time. However, most of it is not listened to carefully and therefore, not understood, partially understood or misunderstood. A good listener does not only listen to the spoken words, but observes carefully the nonverbal cues to understand the complete message. He/she absorbs the given information's, processes it, understands its context and meaning and to form an accurate, reasoned, intelligent response.

Listening starts with hearing but goes beyond. Hearing, in other words is necessary but is not a sufficient condition for listening. Listening involves hearing with attention. Listening is a process that calls for concentration. While, listening, one should also be observant. In other words, listening has to do with the ears, as well as with the eyes and the mind. Listening is to be understood as the total process that involves hearing with attention, being observant and making interpretations. Good communication is essentially an interactive process. It calls for participation and involvement. It is quite often a dialogue rather than a monologue. It is necessary to be interested and also show or make it abundantly clear that one is interested in knowing what the other person has to say.

Good listening is an art that can be cultivated. It relates to skills that can be developed. A good listener knows the art of getting much more than what the speaker is trying to convey. He knows how to prompt, persuade but not to cut off or interrupt what the other person has to say. At times the speaker may or may not be coherent, articulate and well organised in his thoughts and expressions. He may have it in his mind and yet he may fail to marshal the right words while communicating his thought.

The listener has to be objective, practical and in control of his emotions. Often the understanding of a listener is coloured by his own emotions, judgments, opinions, and reactions to what is being said.

9. (a) (i) Define chain network in communication.

2

OR

- (ii) How 'Technology barrier' affects communication?

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

1

Sluggard

(1) Cheat

(2) Lazy

(3) Old

(4) Talkative

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

1

Turbulence → conflict, disorder, not stable.

(1) Stillness

(2) Repose

(3) Agitation

(4) Calmness

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

1

my BCR workbook Pg 46 Q 10  
Mother said to her daughter, "May God grant you success in your examination".  
Mother prayed that God might grant her daughter success in her examination

- (c) You are a purchase manager of Global Traders Pvt Ltd. You had ordered 100 units special kind of Bolts from a company SN Nut Bolts Pvt. Ltd in Mumbai. While checking, the consignment was found to be very poor in quality. Write a complaint letter to the Sales Manager to replace the order.

10. (a) "Human behaviour is not under the sole control of emotion or deliberation but results from the interaction of these two processes". Explain.

2

- (b) (i) Change the sentence from Active to Passive Voice. my BCR workbook Pg 39 Q 3  
I ran the obstacle course in record time. The obstacle course was run by me in record time
- (ii) Change the sentence from Passive to Active Voice. my BCR workbook Pg 42 Q 22  
Money was generously donated to the homeless shelter by Larry. Larry generously donated money to the homeless shelter

- (iii) Change the following sentence into indirect speech.  
The students said to their teacher, 'please allow us to watch the cricket match.'  
The students requested their teacher to allow them to watch the cricket match
- (c) Corruption has become the order of the day. It has entered all walks of life. Write an article for your school magazine in 250 words on "The Role of Youth in combating corruption".

5



11. (a) "Understanding cultural aspects of communication is absolutely necessary otherwise it will become a barrier to communication". Discuss. 2
- (b) Select the correct meaning of Idioms/ Phrases given below:
- (i) In the pink of health 1
- (1) Prolonged suffering
  - (2) Emergency situation
  - (3) Challenging situation
  - ☒ (4) Best of health
- (ii) Out of the blue 1
- (1) Quietly
  - ☒ (2) Unexpectedly
  - ☒ (3) Angrily
  - (4) Revengefully
- (iii) Change the sentence into passive voice.  
 The builder is building the flat. *The flat is being built by the builder*
- (iv) Choose the word which best expresses the meaning of the given word. 1  
 Precedence → *to be important, primacy*
- ☒ (1) Priority
  - (2) Uprise
  - (3) Present
  - (4) Insignificance
- (c) There is an urgent job opportunity in an established chartered accountancy firm for the job of qualified / competent Chartered Accountant. Prepare a detailed resume for a candidate applying for the post. 4

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