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INTER CO. LAW 2nd REVISION TEST PAPER

SYLLABUS:- SEC 88 to 122

TIME ALLOWED 2 Hrs.

FULL MARKS 60= 60 MARKS

- Q.1 I) **Which one of the following required ordinary resolution? (1*20=20 MARKS)**
- (a) To change the name of the company
 - (b) To alter the articles of association
 - (c) To reduce the share capital
 - (d) To declare dividends.
- II) **A resolution shall be a special resolution when the votes cast in favour of the resolution by members are not less than _____ the number of votes, if any, cast against the resolution.**
- (a) Twice (b) Three times (c) One third (d) One fourth
- III) **Register of members, debenture holders, other security holders or copies of return may also be kept at any other place in India in which more than _____ of the total number of members entered in the register of members reside, if approved by a special resolution passed at a general meeting of the company and the Registrar has been given a copy of the proposed special resolution in advance.**
- (a) One-half (b) one-eighth (c) one-tenth (d) one-third
- IV) **The Registrar may grant an extension by _____, for holding the Annual General Meeting to any company for special reasons (except in the case of first AGM of the company).** (a) 1 Month (b) 2 Months (c) 3 Months (d) 6 Months
- V) **Every listed company shall file with the Registrar a copy of the report on each annual general meeting within _____ of the conclusion of the annual general meeting.** (a) 7 days (b) 30 days (c) 3 months (d) 90 days
- VI) **Registered of member in form mgt1 is made as per.**
- a) Rule 3 of companies (management & administration) Rules 2014. b) Rule 4.
 - c) Rule 5. d) Rule 6



- VII) **Copy of every entry in any foreign registered must be transmitted to its registered office within.**
a) 30 days. b) 15 days .c) 7 days d) 60 days
- VIII) **Registered of debenture holder is maintained in .**
a) MGT1. b) MGT2. c) MGT3. d) MGT4
- IX) **Annual return form no is .**
a) MGT4. b) MGT7.c) MGT8. d) MGT9
- X) **MA pvt.ltd is having two directors and two cs. Its Annual return must be sign by.** a) two director. b) two CS. C) one director + one CS . d) exempted
- XI) **Annual return must be submitted to ROC within.**
a) sixty day of due date of AGM. b) sixty day of actual agm .
c) A or b which Ever earlier. d) none of the above
- XII) **Time limit of 1StAgm is.**
a) 15 months from end of financial year. b) 9 months from end of financial year
c) 6 month from end of financial year. d) not required to hold
- XIII) **Sec 99 deals with contravention of**
a) Sec 96. b) Sec 97.
c) Sec 98. d) all of the above
- XIV) **Can to AGM of same company be held on same day.**
a) Not Possible. b) Possible by sending different notices .
c) Possible if there held at different time. d) Possible by sending different notices and they are held at different
- XV) **In case of join auditors notice of general meeting shall be send to .**
a) both. b) any. c) none. d) notice is not required to be sent to auditor time
- XVI) **Restriction on voting right is mention in.**
a) Sec 106. b) Sec 107. c) Sec 108. d) Sec 109
- XVII) **Postal ballot is given by**
(a) Section 108 (b) Section 109 (c) Section 110 (d) Section 111
- XVIII) **E -Voting shall be kept open for at least.**
(a) 3 days (b) 7 days (c) 14 days (d) 21 days



- XIX) **Minutes book must be kept at -**
(a) Register office of the company (b) Any place decided by BOD
(c) Where more than one tenth of members reside (d) All of the above

- XX) **Copy of minute book of general meeting can be demanded by member and must be furnished** (a) Within 7 working days of request (b) Within 7 days of request (c) Cannot demand (d) Immediately

Q.2 **Sirhj, a shareholder, gives a notice for inspecting proxies, five days before the meeting is scheduled and approaches the company two days before the scheduled meeting for inspecting the same. What is the legal position relating to his actions (as per the provisions of the Companies Act, 2013)? (5 MARKS)**

Q.3 **Examine the validity of the following decisions of the Board of Directors with reference of the provisions of the Companies Act, 2013.**
(i) **In an Annual General Meeting of a company having share capital, 80 members present in person or by proxy holding more than 1/10th of the total voting power, demanded for poll. The chairman of the meeting rejected the request on the ground that only the members present in person can demand for poll.**
(ii) **In an annual general meeting, during the process of poll, the members who earlier demanded for poll want to withdraw it. The chairman of the meeting rejected the request on the ground that once poll started, it cannot be withdrawn.**
(5 MARKS)

Q.4 **Zorab Limited served a notice of General Meeting upon its members. The notice stated that a resolution to increase the share capital of the Company would be considered at such meeting. A shareholder complained that the amount of the proposed increase was not specified in the notice. Is the notice valid? (5 MARKS)**

Q.5 **Examine the validity of the following with reference to the relevant provisions of the Companies Act, 2013:**
The Board of Directors of Shrey Ltd. called an extraordinary general meeting upon the requisition of members. However, the meeting was adjourned on the ground that the quorum was not present at the meeting. Advise the company. (5 MARKS)

Q.6 **M/s. Tulip Ltd. maintains its Register of Members at its registered office in Mumbai. A group of members residing in Kolkata want to keep the register of members at Kolkata.**
(i) **Explain with provisions of Companies Act, 2013, whether the company can keep the Registers and Returns at Kolkata.**
(ii) **Does Mr. Rich, holding 400 shares of total worth ` 4000 only, has the right to inspect the Register of Members? (5 MARKS)**



Q.7 M. H. Company Limited served a notice of general meeting upon its shareholders. The notice stated that the issue of sweat equity shares would be considered at such meeting. Mr. 'A', a shareholder of the M. H. Company Limited complains that the issue of sweat equity shares was not specified fully in the notice. Is the notice issued by M. H. Company Limited regarding issue of sweat equity shares valid according to the provisions of the Companies Act, 2013? Explain in detail.

(5 MARKS)

Q.8 A General Meeting was scheduled to be held on 15th April, 2018 at 3.00 P.M. As per the notice the members who are unable to attend a meeting in person can appoint a proxy and the proxy forms duly filled should be sent to the company so as to reach at least 48 hours before the meeting. Mr. X, a member of the company appoints Mr. Y as his proxy and the proxy form dated 10-04-2018 was deposited by Mr. Y with the company at its registered Office on 11-04-2018. Similarly, another member Mr. W also gives two separate proxies to two individuals named Mr. M and Mr. N. In the case of Mr. M, the proxy dated 12-04-2018 was deposited with the company on the same day and the proxy form in favour of Mr. N was deposited on 14-04-2018. All the proxies viz., Y, M and N were present before the meeting. According to the provisions of the Companies Act, 2013, who would be the persons allowed to represent at proxies for members X and W respectively? (5 MARKS)

Q.9 In a General meeting of Alpha Limited, the chairman directed to exclude certain Matters detrimental to the interest of the company from the minutes, Mukesh, a shareholder contended that the minutes of the meeting must contain fair and correct summary of the proceedings thereat. Decide, whether the contention of Mukesh is maintainable under the provisions of the Companies Act, 2013?

(5 MARKS)



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