

**TopYug Educations**

CA INTER – CORPORATE &amp; OTHER LAWS

**TEST -4** (Ch V, VI & VII of Co.s Act, 2013)**Answer All the questions. Each question carries 5 marks each. Duration – 50 Mins**

1. ABC Limited realised on 2nd May, 2019 that particulars of charge created on 12th March, 2019 in favour of a Bank were not filed with the Register of Companies for Registration, What procedure should the Company follow to get the charge registered with the Registrar of Companies? Would the procedure be different if the charge was created on 12th February, 2019 instead of 12th March, 2019? Explain with reference to the relevant provisions of the Companies Act, 2013.
2. Prism Limited has accepted Rs.10 Lakhs as advance towards the supply of goods to certain parties. As per the agreement, the company will supply the goods after two years from the date of deposit. Later on, internal auditors qualified their report on the ground that the company has violated the provisions of the Companies Act, 2013. Directors explained that this is required to complete the order. Examining the relevant provisions of the Companies Act, 2013 state whether the explanation given by the directors is justified.
3. The minutes of the meeting must contain fair and correct summary of the proceedings thereat. Can the Chairman direct exclusion of any matter from the minutes? Some of the shareholders insist on inclusion of certain matters which are regarded as defamatory of a Director of the company. The Chairman declines to do so. State how the matter can be resolved.
4. Examine the validity of the following with reference to the relevant provisions of the Companies Act, 1956:
  - a. The Board of Directors of a company refuse to convene the extraordinary general meeting of the members on the ground that the requisitionists have not given reasons for the resolution proposed to be passed at the meeting.
  - b. The Board of Directors refuse to convene the extraordinary general meeting on the ground that the requisitions have not been signed by the joint holder of the shares.
  - c. Adjournment of extraordinary general meeting called upon the requisition of members on the ground that the quorum was not present at the meeting.
5. The Articles of Association of X Ltd. require the personal presence of 7 members to constitute quorum of General Meetings. The following persons were present in the extra-ordinary meeting to consider the appointment of Managing Director:
  - a. A, the representative of Governor of Madhya Pradesh.
  - b. B and C, shareholders of preference shares,
  - c. D, representing Y Ltd. and Z Ltd.
  - d. E, F, G and H as proxies of shareholders.
 Can it be said that the quorum was present in the meeting?

**GOOD LUCK !**