



CA Inter - Corporate and Other Law

Test - Management & Administration

Total marks - 25
Time - 1 hr 15 mins

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Question 1:

Om Ltd. served a notice of *General Meeting* upon its members. The notice stated that the following resolutions will be considered at such meeting:

- (i) Resolution to increase the authorised share capital of the company.
 - (ii) Appointment and fixation of the remuneration of Mr. Pramod as the statutory auditor. A shareholder complained that the amount of the proposed increase and the remuneration was not specified in the notice. Is the notice valid under the provisions of the Companies Act, 2013.
- [4 marks]

Question 2:

What do you mean by Proxy? Explain the provisions relating to appointment of proxy under the Companies Act, 2013.

[4 marks]

Question 3:

Prince Auto-parts Limited, a listed company, has recently concluded its *Annual General Meeting*. As a statutory requirement, it is obligatory on its part to file with the jurisdictional Registrar of Companies a copy of the Report on its *AGM*.

- (i) State within how much time it is required to file the said Report.
 - (ii) In case Prince Auto-parts Limited fails to file the Report on its *AGM* within the specified time, state the penalty to which the company and also its every officer who is in default shall be liable for such failure.
- [4 marks]

Question 4:

In a *General meeting* of Alpha Software 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?

[3 marks]

Question 5:

A *General Meeting* was scheduled to be held on Friday, 15th April, 2022 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 09-04-2022 was deposited by Mr. Y with the company at its registered Office on 11-04-2022. 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 12-04-2022 was deposited with the company on the same day and the proxy form in favour of Mr. N was deposited on 14-04-2022. 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 as proxies for members X and W respectively?

[5 marks]



Question 6:

The Articles of Association of DJA Water Tanks Ltd. require the personal presence of 7 members to constitute quorum of General Meetings. The company has 965 members as on the date of meeting. The following persons were present in the extra-ordinary general meeting to consider the appointment of Managing Director:

- (iii) A is the representative of Governor of Uttar Pradesh.
- (iv) B and C are preference shareholders,
- (v) D is representing Y Ltd. and Z Ltd.
- (vi) E, F, G and H are proxies of shareholders.

Could it be said that the quorum was present in the meeting?

[5 marks]