

B.B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
B.B.A. LL.B. (5 Year) Sem - VII : WINTER : 2024
SUBJECT: BUSINESS LAW : MERGER & ACQUISITION

Day : Saturday
Date : 23/11/2024

W-24969-2024

Time : 10:00 AM-12:30 PM
Max. Marks : 60

N.B.

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 A) Elaborate the concept of Mergers and explain how they are different from Amalgamation and Acquisition.

OR

Q.1 B) Explain the process of Compromise and Arrangement in an Enterprise under the Companies Act, 2013

Q.2 A) Comment on the effect of Merger on the rival firms along with relevant case studies.

OR

Q.2 B) Elaborate the concept of a sick company. Discuss the journey of laws dealing with the above, focusing on the currently applicable legislation on sick companies.

Q.3 A) Is it mandatory to pay stamp duty on the 'Scheme of Amalgamation'? If no explain in detail on what is the stamp duty leviable supported by landmark judgement.

OR

Q.3 B) Elaborate the concept of inbound and outbound mergers under FEMA and the laws applicable for the same.

Q.4 A) Discuss the important provisions of SEBI takeover code in detail with relevant illustrations.

OR

Q.4 B) Discuss the process of due diligence along with all the stages involved to reach to and execute a successful definitive agreement.

Q.5 A) i) Write short note on- Order of the commission on combinations and penalties.

ii) Tokyo Ltd. is a company which was acquired by a dominant enterprise namely Foundree Ltd. Eventually Tokyo Ltd. has been facing losses since acquisition. Explore the options available with Foundree Ltd. as they don't wish to invest time in the loss making company.

OR

Q.5 B) i) Write short note on- Minority shareholding under Companies Act, 2013 after the acquisition process.

ii) 'A' Ltd. is acquiring 'B' Ltd. They aim that no default should be committed on their side on the compliance part. The asset holding and turnover of 'A' Ltd. is 1100 Cr. and 3000 Cr. respectively. The asset holding and turnover of 'B' Ltd. is 400 Cr. and 100 Cr. respectively. As a lawyer explain if A Ltd has to notify CCI about this acquisition. If not why?

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