

QP Code : 23621

(3 Hours)

[Total Marks : 100

- N. B. :** (1) Answer all questions as instructed.
(2) **Figures to the right indicate full marks.**
(3) Give reasons/caselaw wherever necessary.

1. Answer in not more than two sentences each :- 20
- (a) State the meaning of 'bankruptcy'.
 - (b) In India which are the Courts having jurisdiction in insolvency?
 - (c) What do you understand by onerous property?
 - (d) What are the purposes for which the insolvency proceedings can be continued even after the death of the debtor?
 - (e) State the twin objects of Insolvency Law.
 - (f) What is an insolvency petition?
 - (g) State what is appeal to Court against Receiver.
 - (h) Who is an undischarged insolvent?
 - (i) Who is a secured creditor?
 - (j) Who is a judgement debtor?
2. Write short notes on any four of the following :- 20
- (a) Small Insolvencies
 - (b) Calculation of dividends
 - (c) Interim receiver
 - (d) After acquired property
 - (e) Onerous property
 - (f) Disqualifications of insolvents
3. Solve any two of the following with reasons :- 12
- (a) 'A' an enthusiastic entrepreneur availed huge loans from several creditors. However 'A' was a big failure & is now in deep financial crisis.
 - (1) If 'A' approaches the Court with an insolvency petition, what are the conditions which 'A' will have to comply?
 - (2) What is 'protection order' for A?
 - (b) For the price of goods supplied and work executed, 'A' wants to sue 'B'. But 'A' is poor and is not in a position to pay court fees.

[TURN OVER

- (1) Explain whether 'A' can file a pauper suit? Advise 'A'.
- (2) If 'A' is adjudged an insolvent, can 'A' sue 'B' for the price? Explain.
- (c) 'A' is adjudged an insolvent by the District Court. He submits to the Court a proposal for a scheme of arrangement of his affairs.
 - (1) State the procedure to be followed by the Court on submission by 'A'.
 - (2) In the circumstances of adjudication of 'A', can there be an out of Court settlement between 'A' & his creditors?

4. Answer in detail (any four) :-

48

- (a) Explain the various acts of insolvencies & principles applicable to them.
 - (b) Explain the effects of an order of adjudication.
 - (c) What is discharge? Explain absolute discharge & its consequences.
 - (d) Examine the effects of the annulment of the order of adjudication.
 - (e) Explain the powers & duties of receivers.
 - (f) Examine legal provisions regarding insolvency notice under section 9, PTI Act.
-