

QP Code : **CY-2528**

(3 Hours)

[Total Marks : 100

- N. B. :** (1) Attempt all questions.
(2) Figures to the right indicate full marks assigned.

1. Answer in short all questions. 20
- (a) What are the twin objects of insolvency law?
 - (b) What is an order of adjudication?
 - (c) Who is a secured creditor?
 - (d) How is 'property' defined?
 - (e) What are the purposes for which the insolvency proceedings can be continued even after the death of the debtor?
 - (f) What do you understand by Insolvency Notice?
 - (g) Under PTIA what are the conditions on which a debtor may petition?
 - (h) What are small insolvencies?
 - (i) What is after acquired property?
 - (j) What is the rule as to application of surplus?
2. Write short notes on any four: 20
- (a) Creditor's petition
 - (b) Provable debts
 - (c) Protection order
 - (d) Avoidance of voluntary transfer
 - (e) Duties and Powers of receiver
 - (f) Doctrine of reputed ownership
3. Answer any two: 12
- (a) 'A' who is adjudged an insolvent fails to apply for discharge within the time specified by the court.
 - (i) Why is the debtor, in this case, 'A', required to apply for discharge?
 - (ii) What is conditional discharge and what is absolute discharge?
 - (b) M/s. Shetty Brothers is a partnership firm having five partners. Of the five, one is a minor. The firm is facing insolvency proceedings.
 - (i) If M/s Shetty Brothers is adjudged insolvent, against which partners will the order of adjudication operate?
 - (ii) What will be the effect of such order on the property of the firm?

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- (c) On the petition of 'C' a creditor of 'X', 'X' is declared insolvent by the court.
- (i) Explain the power of the court to stay proceedings pending against 'X'.
 - (ii) When can the court appoint a special manager?

4. Answer any four in detail:

- (a) Examine the acts of insolvency and explain the principles common to all such acts.
- (b) What are the consequences of adjudication?
- (c) On what grounds can an adjudication order be annulled? What are the effects of such an order?
- (d) Explain the provisions as to administration of property of the insolvent.
- (e) Who can be adjudged an insolvent under PTIA and PIA?
- (f) Explain suits by indigent persons?