

1. Write short answer in not more than **two** sentences :-

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- (a) Why is it said that acts of insolvency are statutory in nature ?
- (b) When can the court order stay of suit pending before it against a debtor ?
- (c) When can the court make an order against the creditor requiring him to pay compensation to the debtor ?
- (d) Why an order of adjudication is required to be published in Official Gazette and some other manners ?
- (e) What is the nature of jurisdiction of subordinate court invested with the insolvency jurisdiction under the Prov-I-Act 1920 ?
- (f) Which court has jurisdiction to entertain and try the complaints relating to offences committed by the debtor under the Prov-I-Act, 1920 ?
- (g) Define the expression "property" under the Prov-I-Act, 1920.
- (h) Can a partnership firm be adjudged as insolvent in its own name under the Bankruptcy Act in England ? What is the position on this respect under the Prov-I-Act, 1920 ?
- (i) What are the circumstances under which the debtor is required to obtain leave of the court to present insolvency petition ?
- (j) What is the difference between position of Receiver and Interim Receiver of the property of the debtor under the insolvency law ?

2. Write short notes on any **four** of the following :-

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- (a) Effect of death of debtor during pendency of insolvency proceedings.
- (b) Duties of debtor.
- (c) Protection order.
- (d) Calculation of dividend.
- (e) Avoidance of voluntary transfer.
- (f) Offences by debtors.

Con. 2361(b)-MT-6229-11.**7****3. Answer any two of the following problems :-****12**

- (a) A debtor has got several creditors. One of the creditors presents insolvency petition against the debtor and succeeds in settling his debts and getting them paid by the debtor before the order of adjudication is passed against the debtor. Thereafter the petitioning creditor is found negligent in prosecuting the petition filed by him –
- What powers can be exercised by court to protect the interest of other creditors of the debtor ?
 - What objective of the insolvency law will be defeated if the court does not exercise such powers.
- (b) The court annuls the order of adjudication for the reason that the debtor has failed to apply for discharge within the time specified by the court.
- What consequences the debtor may have to suffer on annulment of order of adjudication ?
 - Why the debtor is required to apply for discharge ?
- (c) On an insolvency petition presented against the debtor the court makes an order for summary administration of the estate of the debtor.
- When the court can make an order for summary administration of the estate of the debtor ?
 - How the provisions of the Prov-I-Act, 1920 stand modified in case of summary administration ?

4. Write answers in detail to any four of the following questions :-**48**

- State and explain the various acts of insolvency as prescribed under the I-Act, Prov-1920.
- State and explain the provisions relating to method of proof of debts.
- What are the powers and duties of the receiver ?
- State and explain the provisions relating to composition and scheme of arrangement under the Prov-I-Act, 1920.
- What are the cases in which the court must refuse absolute discharge under Prov-I-Act, 1920 ?
- What are the provisions relating to calculation and declaration of dividend under Prov-I-Act, 1920 ?