

EASTERN UNIVERSITY, SRI LANKA

FACULTY OF COMMERCE AND MANAGEMENT

1ST YEAR/1ST SEMESTER EXAMINATION IN BBA/B. COM - 2002/2003 &
2002/2003 (A) (JUNE/JULY 2003)

COM 1032 - CORPORATE LAW

Answer all questions

Time : 02 hours

01. "SARAVANAS Ltd." is a private company situated in Main Street, Batticaloa. Mr. Bim was a clerk in this company from 01.01.1986. He was interdicted from his employment with effect from 16.11.2002 for the reasons that he assaulted the Manager (Adm) Mr. Bip under influence of liquor during working hours.

No domestic inquiry was held upto now. Mr. Bim has written several letters to the Management of the company but no action taken by the management.

Mr. Bim was drawing a sum of Rs. 8000/= per month at the time of his interdiction. He is residing at Eravur.

Mr. Bim is coming to you as you are an Attorney-at-Law for your advise.

a. Please explain the situation of the subject matter and the procedure to institute legal proceedings against the company.

(07 Marks)

b. Draft an application to the proper institution (If possible) on behalf of the Applicant Mr. Bim.

(07 Marks)

The General Manager of the said company Mr. Bix is coming to you with the copy of the application filed by the Attorney-at-Law on behalf of the applicant employee Mr. Bim along with summons for your advice.

c. Explain the situation of the case and procedure to file answer to the application of the applicant employee.

(07 marks)

d. Draft an answer on behalf of the Respondent employer.

(07 Marks)

Discuss the liability of an employer to pay compensation to a workman in respect of a personal injury caused to a workman under the following circumstances.

- a. A workman working under a sub contractor sustaining injuries by an accident while working for the sub contractor.
- b. In a fatal accident to a workman who was under influence liquor at the time of the accident.
- c. A workman who lost his left arm by trying to operate a machine, which he was not expected to operate unless the particular operator working in that machine was absent. On the day of the accident the permanent operator had been present.
- d. A workman who sustained injuries by his own negligent act.

(4 x 5 = 20 Marks)

Write short notes on the following.

- a. Law of persons.
- b. Trade Union.
- c. Department of Labour.
- d. Industrial Court.
- e. Street line certificate.
- f. Non vesting certificate.
- g. Judicial Service Commission.
- h. Courts of first instance.

(8 x 4 = 32 Marks)

What do you understand by sources of law in Sri Lanka - Discuss.

(20 marks)