

B.B.A.L2.B Sem-I (5 Year) CBCS-2013 Course Summer-2019

**SUBJECT: LAW OF TORT INCLUDING MOTOR VEHICLE ACCIDENT AND  
CONSUMER PROTECTION ACT**

Day : Saturday

Date : 13.4.2019 S. 2019 - 1518

Time : 2.00 P.M. To 5.00 P.M.

Max. Marks : 60

**N.B.:**

1) All questions are **COMPULSORY**.

2) All questions carry **EQUAL** marks.

**Q.1 a)** Define Tort. Examine the essential elements of Tort.

**OR**

**b)** Write notes of **ANY FOUR** of the following:

i) Assault

ii) Battery

iii) Husband and wife

iv) Private defense

v) Injuria Sine Damnum

vi) Damages

**Q.2 a)** Evaluate the law relating to Strict liability with case law.

**OR**

**b)** Write notes on the following:

i) Malicious Prosecution

ii) Vicarious liability of State

**Q.3 a)** Define Negligence. Enumerate essentials with appropriate illustration.

**OR**

**b)** Write notes of **ANY FOUR** of the following:

i) Public Nuisance

ii) Private Nuisance

iii) Accord and satisfaction

iv) Nervous Shock

v) Res Ipsa Loquitur

**Q.4 a)** Enumerate the composition and Jurisdiction of the State Commission.

**OR**

**b)** 'The Victim shall not be deprived of his right to claim compensation only because he could not prove the negligence of the driven or the owner.' Elaborate the Rule of Liability without fault with appropriate case law.

**Q.5 a)** The defendants in good faith published a mistaken statement that the plaintiff had given birth to twins. In fact the plaintiff had married only two months back about which the defendant was ignorant. . Discuss the liability of defendant.

**b)** Analyse the following case law: Padmavati v. Dugganaika

**OR**

**a)** The plaintiff was a worker who was employed by the defendants for drilling and cutting of rocks. The rock stones were being carried from one place to another by the stone over-head crane passing over the plaintiff's head. While he was at work, a stone fell down from the crane and injured him. . Discuss the liability of defendant

**b)** Analyse the following case law: Nichols v. Marshland

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