

**B. A. LAW (5 YEAR DEGREE COURSE) SEM-VI (2009 COURSE)
: SUMMER - 2018**

SUBJECT : LAW OF TORT INCLUDING MOTOR VEHICLE

Day : **Wednesday**

Time : **10.00 AM TO 01.00 PM**

Date : **18/04/2018**

S-2018-1330

Max. Marks : 80

N.B.:

- 1) Attempt **ANY SIX** questions including **Q.No.1** which is **COMPULSORY**.
 - 2) **Q.No.1** carries **20** marks and all other questions carry **12** marks each.
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Q.1 Write short notes on **ANY FOUR** of the following:

- a) Injuria sine damno
- b) Inevitable accident as a defence
- c) Malicious prosecution
- d) Absolute liability
- e) Distress damage feasant
- f) Conversion as a tort

Q.2 Most of the tortious wrongs owe their origin to the writ or royal prerogatives issued by the crown of England. Discuss the development of the law of torts.

Q.3 When a person consents to the infliction of some harm upon himself, he has no remedy for that under the law of torts. Explain the maxim *volenti non fit injuria* and also state the limitations of the maxim as a defence for an action of torts.

Q.4 The doctrine of sovereign-immunity has undergone a sea change as the scope of the doctrine has been reduced to a great extent, because of the judicial activism. Explain the doctrine of sovereign immunity with regard to the judiciary's view of compensation for administrative wrongs.

Q.5 It is to be noted that it is not every act of misfeasance which can convert the lawful entry of a person to a trespass *ab-initio*. Explain the law related to the tort of trespass *ab-initio*.

Q.6 The master is liable for the torts committed by the servant only during the 'course of employment'. Discuss the principles of the vicarious liability of the master.

Q.7 Explain the elements of negligence with the help of leading case laws.

Q.8 Discuss the legal remedies available for an action of torts.

Q.9 Elaborate the procedure for filing a complaint under section 12(1) of the Consumer Protection Act.

Q.10 Explain the concept of 'just compensation' which can be awarded under the Motor Vehicle Act.

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