

**B.B.A. LL.B. (5 YEAR DEGREE COURSE) SEM-I (2015
COURSE) : SUMMER - 2018**

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

Day : **Wednesday** Time : **02.30 PM TO 05.30 PM**
Date : **23/05/2018** **S-2018-1583** Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Evaluate the rule of Strict Liability with appropriate case law.

OR

- b)** Write notes of **ANY FOUR** of the following:
- i)** Res Ipsa Loquitur
 - ii)** Nuisance
 - iii)** Judicial Remedies
 - iv)** Nervous Shock
 - v)** Damnum Sine Injuria

Q.2 a) Write a detail note on Vicarious liability of State.

OR

- b)** Write notes of **ANY FOUR** of the following:
- i)** Distinction between Tort and Crime
 - ii)** Inevitable accident
 - iii)** Husband and wife
 - iv)** Extra Judicial Remedies
 - v)** Injunction

Q.3 a) What is Defamation? Discuss the kinds of defamation with appropriate illustration.

OR

- b)** Write notes on the following:
- i)** Malicious prosecution
 - ii)** Discharge of Tort

Q.4 a) 'The Supreme Court casts a statutory duty on the Claims Tribunal to initiate Suo mote proceedings to ensure that the victim of the motor accident gets his compensation claim.' Comment and explain the rule of liability without fault with appropriate case law.

OR

- b)** Write notes on the following :
- i)** District Forum
 - ii)** National Commission

Q.5 a) The horse-drawn van which was being negligently driven by the defendant dashed against the bar of the public house where the plaintiff (lady) was serving. The dash and sudden noise resulted in a miscarriage of the plaintiff because of severe nervous shock. Discuss the liability of the defendant.

- b)** Analyse the following case law: Hynes v. Harwood

OR

a) The defendant had wrongfully put a pole across a highway which could be easily visible from a distance of 100 yards but the plaintiff who was riding violently on the road came against the pole and was overthrown and fell with the horse and got seriously injured. He sued the defendant for damages. Discuss the liability of the defendant.

- b)** Analyse the following case law: Morrison v. Ritchie & Co.

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