

**B. A. Law (5 Year Degree Course) Sem-VI (2009 Course) : WINTER -
2018**

SUBJECT : LAW OF TORT INCLUDING MOTOR VEHICLE

Day : Tuesday
Date : 23/10/2018

W-2018-1471

Time : 10.00 AM TO 01.00 PM
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) Damno sine injuria
- b) Volenti non fit injuria
- c) Battery
- d) Nuisance
- e) False imprisonment
- f) Act of God

Q.2 Torts is an ever growing branch of law and has constantly developed and the area covered in it's ambit is continuously increasing. Discuss the nature and scope of the law of torts.

Q.3 The doctrine of sovereign immunity has been diluted to a considerable extent by the judiciary. Explain the defence of sovereign immunity available to the state; with the help of leading case laws.

Q.4 Defamation is the publication of a statement which tends to lower a person in the estimation of right thinking members of society. Discuss the essentials of defamation.

Q.5 It is now well recognized that an action will lie for injury by shock sustained through the medium of the eye or ear without direct contact. Explain the concept of nervous shock.

Q.6 Distinguish between an independent contractor and a servant. Explain the vicarious liability of the master for the torts of an independent contractor.

Q.7 There are situations when a person may be liable for some harm even though he is not negligent in causing the same. Discuss the rule of absolute liability with the help of leading case laws.

Q.8 The most common remedy for torts is damages and the type of damages to be awarded depends upon the facts and circumstances. Explain and distinguish between compensatory, nominal and exemplary damages.

Q.9 Explain the powers and functions of the National Commission Constituted under the Consumer Protection Act.

Q.10 Explain the powers and jurisdiction of the Claims Tribunal Constituted under the Motor Vehicle Act.