

B.B.A. LL.B. (5 Year Degree Course) SEM-I (2015 Course) :

WINTER - 2018

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

Day : Tuesday
Date : 27/11/2018

W-2018-1309

Time : 02.30 PM TO 05.30 PM
Max. Marks : 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Define Tort and differentiate Tort from breach of contract and crime.

OR

- b)** Write notes of **ANY TWO** of the following:
- i)** Trespass to person
 - ii)** Minor
 - iii)** Act of God

Q.2 a) A statement whether written or spoken, is defamatory if it tends to injure the reputation of the plaintiff and lowers him in the estimation of the right thinking persons of society generally. Elucidate emphasizing on the essentials ingredients of Defamation.

OR

- b)** Write notes of **ANY TWO** of the following:
- i)** Trespass to land
 - ii)** Vicarious Liability
 - iii)** Public Nuisance

Q.3 a) Evaluate the meaning, essentials and defenses for the tort of Negligence.

OR

- b)** Write notes of **ANY TWO** of the following:
- i)** Absolute liability
 - ii)** Injunction
 - iii)** Discharge of Torts

Q.4 a) Write notes on the following:

- i)** State Commission
- ii)** National Commission

OR

- b)** Write notes on the following:
- i)** Liability without fault in certain cases
 - ii)** Hit and Run cases

Q.5 a) The defendant had laid traps around his potato field in order to prevent the trespassing pigs entering the field and damaging the crops. The plaintiff's cow which strayed into the field fell into the trap and was killed. Discuss the liability of the defendant.

- b)** Analyse the following case law: Kirk v. Gregory

OR

a) The defendant wrongfully moored his barge across a public navigable creek, which blocked the way of plaintiff's barges and he had to incur huge expenditure for unloading the cargo and transporting it by land. Discuss the liability of the defendant.

- b)** Analyse the following case law: Holmes v. Mather