

LL. B. (3 Year Degree Course) SEM-I (2015 Course) (Choice based  
Credit System) : WINTER - 2018

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

Day : Saturday  
Date : 08/12/2018

W-2018-1504

Time : 10.00 AM TO 01.00 PM  
Max. Marks : 60

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- 1) All questions are **COMPULSORY**.  
2) All questions carry **EQUAL** marks.
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Q.1 One of the defences available against a tortious action is the defence of leave licence which is embodied in the maxim of 'Volenti non fit injuria'. Elaborate the maxim as a justification for torts.

OR

Q.1 Nuisance can be described as anything done to hurt or annoy any person by causing inconvenience or damage to another person's land or tenements etc. Discuss the concept of nuisance and distinguish between private and public nuisance.

Q.2 Discuss the capacity of the State to be sued for tortious action with the reference to the defence of sovereign immunity.

OR

Q.2 Law relating to trespass to persons trips up the zealous bureaucrats, the egar policemen and the officious citizens and avoids the vindication of constitutional rights. Explain the concept the concept of assault and battery as a tort, so also distinguish between them.

Q.3 Every person has a right to have his reputation preserved inviolate and the right is a jus in rem, a right against the entire world. Elaborate the concept of defamation as a tort.

OR

Q.3 Write a brief note on E-commerce and consumer protection.

Q.4

A a) 'A' purchased a bottle of ginger beer from a shop. 'A' poured some of the contents of the ginger beer into a glass and drank it. After some time 'A' poured the remaining contains of the ginger beer into the glass and along with the ginger beer decomposed particles of a snail floated in the glass. 'A' suffered from serious health issue and now 'A' wants to knock the door of the courts of law. Advise 'A' and justify your advice the help of facts and law.

OR

Q.4 b) Discuss the ratio and the principles involved in *M.C. Mehta v Union of India (1987)*.

Q.4

B a) Six people entered an inn and ordered some wine and bread. After consuming the same, they refused to pay for the same. The owner of inn wants to file a case of trespass ab initio. Advise the inn keeper and justify your advice with the help of legal reasoning.

OR

b) Discuss in detail the issues involved in *Twine v Beans (1946)*, and also elucidate the ratio involved in the same case.

Q.5 Discuss the various types of damages available for an action of torts as awarded by the courts of law.

OR

Q.5 Enumerate the reasons and objects of the Motor Vehicle Act.

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