

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

WINTER - 2017

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

Day : **Wednesday**
Date : **24/01/2018**

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

W-2017-4463

N.B.:

- 1) All questions are **COMPULSORY**.
- 2) All questions carry **EQUAL** marks.

Q.1 Critically analyze the general conditions of Liability in tort. Support your answer with relevant case laws?

OR

Explain General defenses:

- a) Statutory authority
- b) Inevitable accident.

Q.2 Define and explain defamation. What are its defenses?

OR

Explain the meaning, essentials and defenses of Res Ipsa Loquitur.

Q.3 What do you mean by Malicious Prosecution? Differentiate it from False Imprisonment.

OR

Discuss **ANY TWO** of the following:

- a) Trespass to Goods
- b) Nervous Shock
- c) Contributory Negligence
- d) Discharge of torts

Q.4 a) 'A' was the owner of a mill. He had been using the water from a stream for about sixty years. 'B' dug a well on his land, as a result of this 'A's mill stopped getting water from the stream.

- i) What is the nature of Tort?
- ii) Is B liable for the loss caused to A?
- iii) Liability under what principle.
- iv) Write the name of the maxim and the name of case law.

b) Explain the concept of vicarious liability of state before and after the commencement of the Constitution with recent case laws.

OR

a) 'A' and 'B' were members of a shooting party. 'B' fired at a pheasant but unfortunately the shot from his gun hit an Oak tree and rebounded and injured A.

- i) What is the nature of Tort?
- ii) Whether B is liable for the injury caused to A?
- iii) Write the name of the case and judgment.

b) Discuss the "Absolute Liability Principle" laid down in M. C. Mehta v. Union of India (1987) 1 SCC 395.

Q.5 Explain:

- a) Changing facets of the term 'Consumer'
- b) Unfair trade practice

OR

Discuss the objects, definition and features of The Motor Vehicle Act.

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