

**B. A. LAW (5 YEAR DEGREE COURSE) SEM-VI (2009  
COURSE) : WINTER - 2017  
SUBJECT : LAW OF TORT INCLUDING MOTOR VEHICLE**

Day : Tuesday  
Date : 03/10/2017

**W-2017-1200**

Time : 10.00 AM TO 01.00 PM  
Max. Marks : 80

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**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) Injuria sine damno
  - b) Inevitable accident as a defence
  - c) Extinction of liability by waiver
  - d) Detinue
  - e) Injunction
  - f) Contributory negligence
- Q.2** Tort is a civil wrong for which the remedy is unliquidated damages, and for an action to constitute a tort, it must fulfill certain conditions. Explain in detail the essentials of tort.
- Q.3** For the defence of the maxim volenti non fit injuria to prevail, it is necessary that the consent to suffer the harm is free. Explain the defence of volenti non fit injuria with special reference to free consent.
- Q.4** Defamation is an injury caused to the reputation of a person, and is considered a tort by law. Discuss in detail the defences available against an action of torts.
- Q.5** A person may suffer nervous shock even though he himself is not within the area of physical injury to himself. Discuss the law related to nervous shock with reference to the above statement.
- Q.6** Malice is an essential aspect of malicious prosecution, where as it is not necessary to prove false imprisonment. Distinguish between malicious prosecution and false imprisonment.
- Q.7** The Supreme Court has evolved a new rule creating absolute liability for the harm caused by dangerous substance. Explain the rule of absolute liability.
- Q.8** Discuss nuisance as a tort and elaborate the essentials of nuisance.
- Q.9** Enumerate the salient features of the Consumer Protection Act.
- Q.10** Explain the nature and extent of insurer's liability under the Motor Vehicle Act.

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