

**B.B.A. LL.B. (5 YEAR DEGREE COURSE) SEM-I (2015
COURSE) : WINTER - 2017**

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

Day : **Saturday**
Date : **11/11/2017**

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

W-2017-1065

N.B.:

- 1) Attempt **ANY FOUR** questions.
- 2) All questions carry **EQUAL** marks.

Q.1 "All torts are civil wrongs but all civil wrongs are not torts". Explain in the light of the definitions of Torts.

OR

Generally a person is held liable for the wrongs committed by him but there are certain special circumstances where in liability is put on another person. Explain the principle of vicarious liability with reference to Master and Servant relationship.

Q.2 "All persons have capacity to sue and be sued" but this rule is subject to certain exceptions. Explain in the context of :

- a) Convict
- b) Corporation

OR

Write short notes on:

- a) Nervous shock
- b) Contributory Negligence

Q.3 Define Defamation. What are the essential ingredients for the tort of Defamation?

OR

Assault and Battery are considered as trespass to person. Explain the tort of Assault and Battery.

Q.4 a) 'D' left a horse van unattended on the highway. A mischievous boy threw a stone at the horses and they started running. 'P' saw the horses and in order to save several persons on the street he seized one of the horses and stopped them. But in doing this he was seriously injured. 'P' has filed a case against 'D' for damages. Analyse the above illustration.

- b) Explain the principle of Absolute Liability in the light of appropriate case law.

OR

a) The dogs of 'P' and 'D' were fighting. In order to separate them 'D' was beating them with a stick while doing so he retreated back and his stick hit 'P', who was standing behind 'D' but D did not know about P standing behind. The blow caused serious eye injury to 'P'. Analyse the above illustration.

- b) Explain the principle of Vicarious Liability of the state with the help of Vidyawati v. State of Rajasthan.

Q.5 The Consumer Protection Act has a three tier redressal system, at the District level, the State level and The National Level. Explain any two of these forums as to its composition, jurisdiction and functions.

OR

What are the provisions as to 'Just Compensation' under the Motor Vehicles Act?

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