

**LL. B. (3 YEAR DEGREE COURSE) SEM-I (2015 COURSE)  
CHOICE BASED CREDIT SYSTEM) : WINTER - 2017  
SUBJECT : LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT AND  
CONSUMER PROTECTION ACT**

Day : **Friday**  
Date : **24/11/2017**

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

**W-2017-1233**

**N.B.:**

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

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**Q.1** Define 'Tort' and distinguish it from breach of contract and crime.

**OR**

**Q.1** Explain the liabilities that arise out of the relationship of master and servant.

**Q.2** Define 'Defamation'. Explain various ingredients necessary for tort of defamation.

**OR**

**Q.2** Explain the tort of nuisance and the remedies available to a person for nuisance.

**Q.3** What is 'False imprisonment'? Distinguish it from Malicious prosecution.

**OR**

**Q.3** Explain the extra judicial remedies available under Torts.

**Q.4** Write case comment on the following:

- a) Ryland v Fletcher
- b) M. C. Mehta v Union of India (1987)

**OR**

**Q.4** a) The plaintiff fettered the fore-feet of his donkey and left it on a narrow highway. The defendant was driving his wagon driven by horses too fast that it negligently ran over and killed the donkey. Discuss the liability of the parties.

- b) The plaintiff, a mill owner, was for the past 60 years, using water for his mill from a stream which was fed by rainfall percolating through underground strata to the stream, but not flowing in defined channels. The defendants sunk a well on their land and pumped large quantities of water, which would otherwise have gone to the plaintiff's stream, thereby causing loss to the plaintiff. Comment.

**Q.5** With reference to Motor Vehicles Act, answer the following:

- a) No fault liability
- b) Object of Motor Vehicles Act.

**OR**

**Q.5** Answer any **TWO** of the following with reference to Consumer Protection Act.

- a) Unfair trade practice
- b) Definition of Consumer
- c) Object of the Consumer Protection Act
- d) Complaint

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