

B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS - 2015 COURSE)
B.A. LL. B. Sem - I : WINTER : 2021
**SUBJECT: LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT &
CONSUMER PROTECTION ACT**

Day : Wednesday
Date : 19-01-2022

W-12462-2021

Time : 10:00 AM-12:30 PM
Max. Marks: 60

N.B.:

- 1) All questions are compulsory.
 - 2) All question carry equal marks.
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Q.1) Answer the following: ANY ONE(12 Marks X 1 = 12 Marks)

- a) 'In an action for civil wrong the aggrieved party institutes a civil proceeding against wrong doer and the remedy for an action in tort is damages'. Analyze the nature and characteristics of civil wrong.
- b) Evaluate the liability of State for the wrongful acts of its servants.

Q.2) Answer the following: ANY ONE (12 Marks X 1 = 12 Marks)

- a) What is Negligence? Examine the concept of res ipsa loquitur along with appropriate illustrations.
- b) Evaluate the Principle in Rylands v. Fletcher along with its exceptions.

Q.3) Answer the following: ANY ONE (12 Marks X 1 = 12 Marks)

- a) Write notes on the following
 - i.) Waiver
 - ii.) Judicial Remedies
- b) There are special defences available to a defendant in an action for defamation apart from general ones. Examine the special defences for defamation with appropriate illustrations.

Q.4) Answer the following: ANY ONE (12 Marks X 1 = 12 Marks)

- a)
 - i.) Analyse the following case law : *Morriss v. Marsden*
 - ii.) Examine the following Illustration:
The Plaintiff filed an action against the defendant for enticing and inducing his wife to leave her husband thereby his right of consortium was violated.
- b)
 - i.) Analyse the following case law : *Brown v. Kendall*
 - ii.) Examine the following Illustration:
The Railway Corporation constructed a children's park in the mid-stream. Due to heavy rain, the water over flooded the stream as its natural flow was obstructed due to park constructed by the railway corporation. It spread over the adjoining area causing damage to neighbours property.

Q.5) Answer the following: ANY ONE (12 Marks X 1 = 12 Marks)

- a) Evaluate the provisions relating to National Consumer Redressal Commission under CPA, 1986.
- b) Examine the meaning of Motor Vehicle and accident along with the concept of liability arising out of accidents.
