

**BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS -
2015 COURSE) LL.B. Sem-I : WINTER : 2021**

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

Day :Monday

Date :27-12-2021

W-12584-2021

Time : 02:00 PM-04:30 PM

Max.Marks 60

N.B.:

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

Q.1 a) What is a 'Tort'? Explain the term in the light of definitions given by eminent jurists.

OR

b) Discuss the personal capacity of the following persons to suing and being sued under law of torts:

- i) Corporation
- ii) Unborn child

Q.2 a) Discuss the concept of Strict liability and Absolute liability in the light of relevant cases.

OR

b) Enumerate the various ways in which a tort can be discharged.

Q.3 a) A man's reputation is considered to be his most valuable property. Any damage done to reputation is considered as 'Defamation' under Law of Torts. Enumerate the essentials of 'Defamation'. Distinguish between Libel and Slander.

OR

b) Distinguish between :

- i) Assault and Battery
- ii) Public Nuisance and Private Nuisance

Q.4 a) i) Write a case comment on **Butterfield v. Forrester**.

ii) Answer the following problem by giving reasons:

The defendant played a practical joke with the plaintiff by telling her that her husband met with an accident and was lying injured in a public place and that she should go immediately and bring him home. After hearing this the plaintiff suffered serious permanent physical damage to her health due to this shock. Will the defendant be held liable?

OR

b) i) Write a case comment on **State of Rajasthan v. Vidyawati**.

ii) Answer the following problem by giving reasons.

The conductor of an overcrowded bus invited passengers to travel on the roof. In the course of the journey, the bus while trying to overtake a cart, swerved to the right and a passenger 'X' travelling on the roof fell down and sustained injuries. Determine the liability of the driver, conductor and passenger 'X'.

Q.5 a) Write short notes with reference to Consumer Protection Act.

- i) Object of the Act
- ii) Rights of a Consumer

OR

Write short notes with reference to Motor Vehicle Act

- i) Liability without fault
- ii) Compensation under the Act

* * * *