

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

Day : Wednesday

Time : 10:00 AM-12:30 PM

Date 23-02-2022

W-24873-2021

Max. Marks: 60

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) Elaborate the remedies available under Law of Torts.

OR

b) Explain the General Defences to an action in Torts with the help of relevant case laws.

Q.2 a) Elucidate the concept of Negligence with special reference to Medical Negligence.

OR

b) Explicate the concept of Defamation and its types with specific reference to Law of Torts.

Q.3 a) What are the essentials of the Rule of the Strict Liability? Explain in detail the exceptions to the Rule of Strict Liability.

OR

b) Explain in brief the concept of Nuisance and the essential elements required to prove the tort of Nuisance. Distinguish between Nuisance and Trespass, Nuisance and Negligence.

Q.4 a) Who is a 'Consumer' under Consumer Protection Act, 2019? Explain the salient features of Consumer Protection Act.

OR

b) Write a detail note on 'No fault liability' as given under Motor Vehicle Act, 2019.

Q.5 a) Write note on:

i) Plaintiff 'A' was a qualified voter at a parliamentary election, but the defendant 'W', a returning officer wrongfully refused to take plaintiff's vote. No loss was suffered by the plaintiff as the candidate for whom he wanted to vote won the election. Whether plaintiff's legal rights are violated in this case to make defendant liable?

ii) Malicious prosecution

OR

b) Write note on:

i) Plaintiff 'B', a fishwife behind the tramcar heard an accident but could not see the same. In the accident which had occurred, a negligent motor cyclist was killed and his body was removed from the scene. The plaintiff went to the scene of accident and saw the blood on the road and thus suffered trauma which led her to give birth to a stillborn child. Plaintiff sued the personal representative 'Y' of the deceased motor cyclist. Whether Plaintiff 'B' would get damages for the injury suffered?

ii) Res Ipsa Loquitur

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