

B.B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
B.B.A. LL.B. (5 Year) Sem - I : WINTER :- 2021
**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-24934-2021

Max. Marks: 60

N.B.:

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

Q.1 a) Explain in detail the tort of Defamation with the help of relevant case laws and elucidate the defences available in a tort of Defamation.

OR

Q.1 b) Write a note on "Malicious Prosecution" and "False Imprisonment" with the help of suitable examples and case laws.

Q.2 a) Critically evaluate the principle of Strict Liability in the light of its applicability in India. Support your answer with relevant case laws.

OR

Q.2 b) Nuisance means "anything done to the hurt or annoyance of the lands, tenements of another, and not amounting to a trespass". In the light of this definition, discuss in detail the tort of Nuisance.

Q.3 a) Evaluate in details the tort of Negligence with help of suitable case laws.

OR

Q.3 b) Explain the definition, meaning and constituents of a Tort with the help of relevant case laws and state the difference between "Injuria sine damnum" and "Danmum sine injuria".

Q.4 a) Describe the composition, Jurisdiction of State Consumer Dispute Redressal Commission and its procedure on admission of a complaint under the Consumer Protection Act.

OR

Q.4 b) Discuss the concept of No Fault Liability under the Motor Vehicles Act with the help of relevant case laws.

Q.5 a) i) A ship was chartered by ABC Ltd (the Defendant). It was taking fuel at a port at a distance of about 180 metres from a wharf owned by PQR Ltd (the Plaintiff). The wharf had some welding operations going on in it. Owing to the negligence of the Defendant's servants, a large quantity of oil was spilt on the sea which also reached the Plaintiff's wharf. Due to the welding operation going on there, after around 60 hours, molten metal (from the Plaintiff's wharf) fell, which ignited the oil and a fire was caused. The fire caused a lot of damage to the Plaintiff's wharf and equipment.

State, along with reasons, as to whether the Defendant will be held liable or not.

ii) Write a short note on Kinds of Damages.

OR

Q.5 b) i) The defendant went to a market. The defendant left his dog inside the car and locked the car. The dog had always been quiet and docile. For unknown reasons, the dog became ferocious, unmanageable and started hitting against the window panel. The glass was broken. Unfortunately, a broken glass piece went into the Plaintiff's eye who was just passing by the car at the time and afterward he lost his eye. Plaintiff sued the defendant for negligence. Discuss the liability of the Defendant.

ii) Write a short note on "Res Ipsa Loquitor".

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