

B.B.A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
B.B.A. LL.B. (5 Year) Sem - I :SUMMER- 2022
SUBJECT : LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT &
CONSUMER PROTECTION ACT

Day : Thursday
Date : 16-06-2022

S-24934-2022

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) “Tort is a civil wrong for which the remedy is a common law action for unliquidated damages, and which is not exclusively the breach of a contract or the breach of a trust, or other merely equitable obligation”. In the light of this definition, explain the essentials which constitute a tort and highlight the difference between a tort and a contract.

OR

Q.1 b) Explain in detail “Defamation” under Law of Torts.

Q.2 a) What do you mean by general defences? Explain in detail the General Defences with the help of relevant case laws.

OR

Q.2 b) Explain in detail the tort of Assault, Battery and Mayhem. Highlight the difference between Assault, Battery and Mayhem.

Q.3 a) Discuss the rule of Strict Liability and Absolute Liability with relevant case laws. State the difference between Strict Liability and Absolute Liability.

OR

Q.3 b) “Negligence is a breach of duty caused by the omission to do something which a reasonable man, guided by those considerations which ordinarily regulate the conduct of human affairs would do, or doing something which a prudent and reasonable man would not do”. Elucidate the Tort of Negligence with the help of its essential elements and explain the defenses to Negligence.

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

OR

Q.4 b) Write short notes on :
i) Compulsory Insurance under the Motor Vehicles Act
ii) Motor Accident Claims Tribunal

Q.5 a) i) “A” resided in a house next to a Roman Catholic Chapel of which “B” was the priest and the Chapel bell was rung at all hours of the day and night. Explain with reasons, the nature of the tort committed and highlight the name of the case.

ii) Write a short note on Trespass to Property.

OR

Q.5 b) i) One person “A” threw a lighted squib into a crowd. The squib fell on a person “B”. B, in order to prevent injury to himself, threw that squib further. It landed on another person “C” who in turn threw it further and it finally exploded on a person “D”, thereby injuring him. As a result of the explosion, D lost one of his eyes. Analyse the above illustration and discuss the liability of the defendant.

ii) Write a short note on “Tort of Deceit or Fraud”.

* * * * *