

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

Day : Wednesday
Date : 28-12-2022

W-24873-2022

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

N.B.:

- 1) All questions are **COMPULSORY**.
 - 2) All questions carry **EQUAL** marks.
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Q.1 a) What is Tort? Discuss essential elements of tortious liability.

OR

b) Write in detail about the Principle of "Vicarious Liability". Discuss the liability of the State for the torts committed by its servants. Whether the State will get sovereign immunity today? Discuss with the Supreme Court cases.

Q.2 a) Define Defamation. Also discuss about are its Types and distinguish between libel and slander. Also clarify the position of these kinds of defamation in Indian Law.

OR

b) Elaborate the meaning of "Malicious Prosecution". What are those elements which need to be proved by the plaintiff in an action for malicious prosecution? Also distinguish between Malicious Prosecution and False imprisonment.

Q.3 a) Discuss the concept of 'Nuisance' and its several defenses available to the defendant.

OR

b) Give an account of the law relating to Negligence under Law of Torts.

Q.4 a) Give detailed note on the Constitution, Jurisdiction and procedure adopted by "District Commission".

OR

b) Write in brief the objectives and salient features of Motor Vehicle Act with special reference to 2019 Amendment.

Q.5 a) Write note on:

i) Assault

ii) The Defendant 'A' caused the construction of a reservoir on his piece of property. The reservoir lay slightly above an abandoned coalmine, which happened to be connected the Plaintiff B's mines in the surface below. The construction of the artificial pond by the Defendant eventually led to the collapse of the mineshaft. The collapse caused floods, a case that frustrated and / or negated the possibility of the Plaintiff to undertake the operation of the mines. The Plaintiff sued for damages. Discuss the case law above with related principle of same.

OR

b) Write note on:

i) Res ipsa loquitur

ii) 'Z' (plaintiff), resident of Amana. Mr. X (defendant), a constable X prevented Z from exercising his 'Right to Vote', stating that Z wasn't a settled resident. Z refused to accept it and said he was a registered voter. Z sued Mr. X for the claim of damages. Discuss the case law above with related principle of same.

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