

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

Day : Wednesday

Time : 10:00 AM-12:30 PM

Date : 28-12-2022

W-24995-2022

Max. Marks : 60

N.B.:

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

Q.1 A) Tort is a civil wrong but every civil wrong is not a tort. Examine the nature and essentials of a tort.

OR

B) Define Negligence. Discuss the essential ingredients of negligence.

Q.2 A) What is Defamation? Evaluate the essentials of defamation along with defences.

OR

B) Write a detail essay on vicarious liability with emphasis on Master and Servant relationship.

Q.3 A) Explain the maxim Vis Major with help of case laws.

OR

B) What is Trespass? Evaluate the provisions relating to Trespass to person.

Q.4 A) Write notes on the following with reference to Motor Vehicle Act, 2019:

- i) Compensation
- ii) Motor Vehicle Accident Fund

OR

B) Write note on Consumer Dispute Redressal Agencies.

Q.5 A) i) A group of ship owners formed an association to raise their profits. The association agreed to limit the number of ships sent by the association to different ports, to give a 5% rebate on freights to all shippers of stock who dealt only with members, and that agents of members would be prohibited from dealing with anyone in the association if they did not deal exclusively with people in the association. If any member wished to withdraw, they would have to give notice. Mr. M's company was excluded from the association which caused loss to his company. Discuss the liability of the association with appropriate case laws.

ii) Absolute Liability

OR

B) i) The defendant was a school teacher. The defendant for some reason decided to quit his job as a teacher and he decided to open up new school just adjacent to his previous employer's school. The defendant further reduced his new school's fee as compared to previous school. Since he was also quite famous with his students at the previous school and the new schools' fees was less than half of the previous school, many students left the previous school and joined the new school. Discuss the liability of defendant with appropriate case laws.

ii) Discharge of Torts