

[LLB-103]

AT THE END OF FIRST SEMESTER

EXAMINATIONS

PAPER - III : LAW OF TORTS INCLUDING MV ACCIDENTS AND CONSUMER PROTECTION LAW

(w.e.f. Admitted Batch 2016-17)

Time : 3 Hours

Maximum : 75 Marks

PART - A

Answer any Five questions. Each question carries 3 marks. (5×3=15)

- I. a) *Damnum sine injuria*
- b) Mayhem.
- c) Libel.
- d) Moline.
- e) Last opportunity rule.
- f) Malicious prosecution.
- g) Trespass.
- h) Conversion.
- i) Inevitable accident
- j) *Actio personalis moritur cum persona.*

[Turn over

(2)

PART - B

Answer All Four questions. Each question carries 10 marks. (4×10=40)

- II. a) Write an essay on the essential conditions of tortious liability.

(OR)

- b) Explain the maxims 'Volenti non fit injuria'. What are the exceptions to this maxim?

- III. a) What is the rule of 'Strict Liability'? What are the exceptions to this rule.

(OR)

- b) Explain various kinds of damages available for an action in law of tort.

- IV. a) Explain the doctrine of Remoteness of damages in tort with reference to leading cases.

(OR)

- b) Discuss the law relating to 'Contributory negligence' in relation to children with the help of decided cases. <https://www.aknuonline.com>

- V. a) Explain the scope and object of motor vehicle Act, 1988.

(OR)

- b) Who is a consumer and explain Hierarchy of forums with judicature and powers under consumer Law.

(3)

PART - C

Answer any **Two** questions. Each question carries 10 marks. (2 × 10 = 20)

- VI. a) 'A' gave a phone call to 'B' saying that her son met with an accident by way of practical joke, hearing that news 'B' suffered heart attack and died. Discuss the liability of 'A'
- b) 'A' removed the chair when 'B' was about to sit in the chair in some angry discussion. As a result 'B' fell down. What is the wrong committed by 'A'? Is 'A' liable for it? Explain.
- c) 'X' leaves his two-horse van unattended in a market place. A boy threw a stone on the horses and they bolted, causing grave danger to women and children on the road. A policeman, who was on duty, in order to rescue women and children stopped the running horses, but in doing so he himself serious personal injuries. Is the matter of 'X' liable. Explain.
- d) 'A' disturbed his neighbour 'B' throughout the night by playing music system. Is it an actionable tort? Discuss.

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