

**BACHELOR OF LAWS - LL.B. (THREE YEAR DEGREE COURSE) (CBCS-
2021 COURSE)**
LL.B. Sem - I : SUMMER : 2024
**SUBJECT: LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT &
CONSUMER PROTECTION ACT**

Day : Thursday
Date : 25/04/2024

S-24995-2024

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) Explain the term "Act of God" in law of tort. How different it is from "inevitable accident"? Provide case laws to illustrate.

OR

- b)** "The mental elements in tortious liability play a crucial role in determining the liability of a tortfeasor. Analyze the different mental elements that are required to establish a tortious liability".

Q.2 a) What constitutes defamation and what are the differences between libel and slander? What defenses are available to defendants in defamation cases?

OR

- b)** In what circumstances can a person be held liable for trespass to movable property and what defenses are available to such a person?

Q.3 a) Explain the concept of public and private nuisance and provide examples to illustrate their differences. What are the available defenses in case of nuisance?

OR

- b)** What is the rule in Rylands v. Fletcher and how is it applicable in India? Provide examples of cases where this rule has been applied.

Q.4 a) What are the different kinds of damages available in the law of torts? Explain the meaning of each kind of damage and the principles of remoteness of damage.

OR

- b)** What are the different types of Consumer Dispute Redressal Agencies established under the Consumer Protection Act, 2019? Explain the jurisdiction and powers of each agency in resolving consumer complaints.

Q.5 a) i) Raj owns a small grocery store in a residential area. The store has been operating for years without any complaints. One day, a group of residents from the neighborhood file a lawsuit against Raj, claiming that his store is a nuisance to their peaceful enjoyment of their homes. The residents allege that Raj's store causes noise, traffic and pollution. However, they do not claim to have suffered any financial loss or damage to their property. Can the residents succeed in their lawsuit against Raj? How does the legal concept of injuria sine damno apply in this case?

ii) Write a note on Accident Victim Fund under Motor Vehicle Act, 2019.

OR

- b) i)** Ashish owns a small Medical shop in a residential area. Shyam, a new resident in the neighborhood, decides to open a large Medical shop right next to Ashish's shop. Shyam offers a wider variety of generic medicines at lower prices and within a few weeks, Ashish's business starts to suffer. Can Ashish sue Shyam and succeed? What legal principles would apply in this situation?
- ii)** Write a note on Liability without Fault under Motor Vehicle Act, 2019.