

B. A. LL.B. (FIVE YEAR DEGREE COURSE) (CBCS-2021 COURSE)
B.A. LL.B. (5 Year) Sem - I : SUMMER : 2024
SUBJECT: LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT &
CONSUMER PROTECTION ACT

Day : Thursday
Date : 25/04/2024

S-24873-2024

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

N.B.:

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

Q.1 A) Discuss in detail the rule laid down in M.C. Mehta V. Union of India. How is it different from Rule of Strict Liability?

OR

B) Elaborate the distinction between Libel and Slander with the help of relevant case laws.

Q.2 A) Describe in detail various Judicial and Extra Judicial Remedies available in Tort Law.

OR

B) Explain in detail the essential elements of Nuisance. Distinguish between Public and Private Nuisance. What are the remedies available against Nuisance?

Q.3 A) What is the meaning of the term "Trespass"? Explain in detail different Modes of Trespass to land?

OR

B) Elucidate the General defences available in an action against tort. Support your answer with the case law.

Q.4 A) Explain in detail salient features of the Consumer Protection Act 1986 and 2019.

OR

B) Explain in brief the Third-Party Insurance under Motor Vehicle Act, 2019.

Q.5 A) i) Write short note on: Malicious prosecution.

ii) An eligible voter 'A' was stopped from casting his vote by a constable Mr. 'C'. even though the candidate whom Mr. 'A' was going to vote won the election and there was no actual damage caused to Mr. 'A'. The voter 'A' still brought an action against 'C'. whether 'A' would be entitled to damages? Cite the case law and the findings of the court in the above case.

OR

B) i) Write short note on: Ubi Jus Ibi Remedium.

ii) The son of 'T' met with an accident which resulted in fracture on his leg. The doctor to whom he was taken for treatment gave him a single dose of Morphia injection instead of anaesthesia in order to reduce the fracture. He used excessive force along with his attendants to straighten the leg and to cast plaster. The sever pain caused due to pulling of his leg resulted in the death of the patient due to shock whether doctor is liable for the death of the patient in this case? Cite a case law and findings of the court in this case.