

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

Day : Friday
Date : 22/11/2024

W-24934-2024

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) How does the concept of 'Duty to take care' relate to determination of Negligence? How does the application of the maxim '*Res ipsa Loquitur*' shift the burden of proof in Negligence cases? (12)

OR

Q.1 B) What are the distinguishing characteristics of 'Public Nuisance' and 'Private Nuisance'. How do they differ in terms of their impact and legal remedies? (12)

Q.2 A) What is the significance of the rule of 'Absolute Liability' as established in the case of *M.C Mehta v Union of India*. (12)

OR

Q.2 B) How do courts determine whether the State should be held vicariously liable for the actions of its employees? (12)

Q.3 A) What is the legal definition of Torts and what are the essential elements that must be present for an action to constitute a tort? (12)

OR

Q.3 B) What are the key difference between Assault, Battery, Mayhem in terms of legal definitions and consequences? (12)

Q.4 Write case comments on: (12)

- a) *Donoghue v Stevenson*
- b) *McDonald's Corporation v Steel and Morris*

OR

- a) *Bhim Singh v Jammu and Kashmir*
- b) *Vidyavati v State of Rajasthan*

Q.5 a) What are the key differences and similarities between the Consumer Protection Act of 1986 and the Consumer Protection Act of 2019 (12)

OR

- b) What are the powers and jurisdiction of a Motor Accidents Claims Tribunal.
