

Reg. No. :

Name :

**First Semester B.A. LL.B./B.Com. LL.B./B.B.A LL.B. (Five Year Integrated)
Degree Examination, September 2021**

**Paper V — LAW OF TORT INCLUDING MOTOR VEHICLES ACCIDENT AND
CONSUMER PROTECTION LAWS**

(2011 to 2019 Admission)

Time : 3 Hours

Max. Marks : 80

I. Explain **any five** of the following. **Each** question carries **2** marks. Answers should not exceed **50** words.

- (a) Distinction between tort and crime
- (b) Assault and Battery
- (c) Damnum sine injuria
- (d) Contributory Negligence
- (e) Remoteness of damage
- (f) Libel and slander
- (g) Motor accident claims Tribunal

(5 × 2 = 10 Marks)

II. Answer **any four** of the following. **Each** question carries **4** marks. Answers should not exceed **120** words.

- (a) Discuss the scope and extent of tortious liability of a Corporation.
- (b) Distinguish between servant and independent contractor.
- (c) Explain Scinter Rule with the help of case laws.
- (d) When is tortious liability said to be extinguished?
- (e) State 'No Fault Liability' under the Motor Vehicles Act.

(4 × 4 = 16 Marks)

III. Answer **any four** of the following. **Each** question carries **6** marks.

- (a) The driver of a bus entrusted the conductor to drive the bus. The conductor drove the bus negligently and met with an accident. A pedestrian was injured and he claimed compensation from the owner of the bus. Discuss the liability of the owner.
- (b) 'X' wrote a letter containing defamatory statement and sent to the address of 'Y'. The letter was written in French language. Since Y did not know to read and write French language, he sought the help of 'Z' to know the contents of the letter. Is 'X' liable for defamation. If 'X' knew that 'Y' did not know to read and write French language, what would be the position?
- (c) 'X' and 'Y' jointly committed a tort against 'A'. The court passed a decree against both to compensate 'A'. 'Y' made the entire payment towards the decretal amount. Can he claim contribution from 'X'? if so, give reasons.
- (d) The state authorities started excavation towards the house of A for developing playground which was on the side of 'A's house. Due to the excavation, A's house collapsed. 'A' sued the state for compensation for the damage. Will he succeed. Give reasons.
- (e) 'P' hired a horse and carriage from 'Q' and suffered injury in consequence of a defect in the carriage. Explain whether 'Q' can be held liable.

(4 × 6 = 24 Marks)

IV. Answer **any three** of the following. **Each** question carries **10** marks.

- (a) What are the general defences available to the wrong doer under Law of Torts? Explain specific defences available for tort of defamation.
- (b) Examine the provisions under the M.V. Act regarding the right to claim compensation for death and permanent disablement.
- (c) Discuss the rule laid down in Rylands v. Fletcher with its exceptions.
- (d) Write a note on Central Consumer Protection Council and its Procedure.

(3 × 10 = 30 Marks)