

Reg. No. :

Name :

**First Semester B.A. LL.B/B.Com LL.B/B.B.A LL.B.
(Five Year Integrated) Degree Examination, August 2023**

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

(2020 Admission Onwards)

Time : 3 Hours

Max. Marks : 80

PART – A

I. Explain any **six** of the following questions. Each Question carries **2** Marks.
Answers should not exceed **50** words.

1. Motor Accidents Claims Tribunal
2. Vicarious liability
3. *Novus actus interveniens*
4. Inevitable accident
5. Unliquidated damages
6. Caveat Emptor
7. Tort of Negligence
8. Assault

(6 × 2 = 12 Marks)

P.T.O.

PART – B

- II. Answer any **four** of the following. **Each** question carries **5** marks. Answers should not exceed **150** words.
9. Briefly discuss the doctrine of remoteness of damages.
 10. Examine the landmark decision of *Donoghue vs Stevenson*.
 11. Explain the concept of tortious liability and its distinction from criminal liability?
 12. Elaborate on the rule of absolute liability.
 13. Distinguish between libel and slander.

(4 × 5 = 20 Marks)

PART – C

- III. Answer any **four** of the following. **Each** question carries **6** marks.
14. Rahul gets into an overcrowded KSRTC bus to travel from Thiruvananthapuram to Ernakulam. Though many in the bus complained to the conductor that the bus is overcrowded, the latter did not respond and continued on the route. During this journey to Ernakulam Rahul's purse was stolen by someone in the bus. Rahul claims compensation from the KSRTC claiming that it was because of the overcrowding that he lost his purse. Decide.
 15. A and B were neighbours in residential locality. A started a piano class in a part of his house and his piano sound disturbed B, who could not put up with and kind of continuous noise. He filed a suit against A. Decide.
 16. A and B agrees to have a boxing match. During the match B punches at the face of A resulting in a deep lacerated wound in the latter's face. A sues B for damages. Decide.
 17. 'A' was a qualified voter for the elections to a state assembly. However, a returning officer wrongfully refused to take A's vote. In spite of such wrongful refusal, the candidate, for whom 'A' wanted to vote, won the election. But, 'A' brought an action for damages.

18. A got herself operated for the removal of her appendix in the defendant's hospital. Due to the negligence of the surgeon, who performed the operation, an abdominal pack, used to ensure sterility of operation, was left in her abdomen. The same had to be removed by a second surgery. A sues the surgeon. Decide.

(4 × 6 = 24 Marks)

PART – D

IV. Answer any **two** of the following. **Each** question carries **12** marks.

19. Explain the rule of strict liability as laid down in *Rylands v. Fletcher* with exceptions. How did the rule of absolute liability overcome the 'shortcomings' of the strict liability doctrine?
20. Elaborate on the various forums available to a consumer under the Consumer Protection Act, 2019 for redressing his grievances.
21. Bring out the difference between the maxims '*Damnum Sine Injuria*' and '*Injuria Sine Damnum*' with relevant case laws.

(2 × 12 = 24 Marks)