

Reg. No. :

Name :

**First Semester B.A. LLB/B.Com. LLB/ B.B.A. LL.B (Five Year Integrated)
Degree Examination, March 2022.**

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

(2011 to 2019 Admissions)

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) Who is a consumer as per consumer protection Act 1986.
 - (b) Distinguish between tort and crime.
 - (c) Volenti non fit injuria
 - (d) Torts liability of state
 - (e) Exemplary damage
 - (f) Doctrine of common employment
 - (g) Joint tortfeasors
- (5 × 2 = 10 Marks)**
- II. Answer **any four** of the following. Each question carries **4** marks. Answer should not exceed **120** words.
- (a) When a person is liable to pay compensation without fault under motor vehicle Act?
 - (b) Examine the vicarious liability of the state for the test committee by into servants
 - (c) What are the objects of central consumer protection councils?

- (d) What is meant by Resipsa liquitor?
- (e) What is meant by Novus actus inter veniens?

(4 × 4 = 16 Marks)

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

- (a) Defendant is a chemist. He put the extract of 'A' a poison into far labelled 'B' which is a harmless drug. He sold it to a retailer as extract of B. The retailer sold it to the plaintiff on the prescription by a doctor believing it to be 'B'. Plaintiff sustained serious injuries. Whether the defendant is liable to the plaintiff with when he had no contract?
- (b) The defendant Mr.'A' had dug out coal from plaintiff 'B' s mine unlawfully. On the death of Mr. a, can the plaintiff proceed or continue the action for recovery of value of coal wrongfully taken out against the legal representatives of 'A'.
- (c) Mr. A was a passenger of Air India. There was some gaps at the base of escalator of the air port and it was not functioning property. The little daughters of 'A' was trapped in the escalator and crushed to death. There was no emergency medical care at the airport. Whether 'A' can invoke the provisions of consumer protection Act.
- (d) The defendant had created artificial lakes on his land by damming up a natural stream, One year there was an extraordinary rainfall which destroyed the embarrassments constructed for artificial lakes, which were sufficiently strong for an ordinary rainfall. The plaintiff sustained huge loss due to the rusk of water from dependant's lake. Whether the plaintiff can recover compensation from defendant.
- (e) The defendant Mr. 'X' sent a defamatory letter to 'Y' the plaintiff in Urdu. Mr Y did not know urdu and hence the letter was read over to him by a third person. What is the liability for Mr. 'X'.

(4 × 6 = 24 Marks)

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

- (a) Examine the defence of contributory negligence and explain the "last opportunity rule."
- (b) What are the unfair trade practices under consumer protection Act.
- (c) Distinguish between strict liability and absolute liability.
- (d) Briefly explain the general defences in law of torts.

(3 × 10 = 30 Marks)