



Reg. No. :

Name :

First Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B. (Integrated Courses)

Degree Examination, April 2015

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

Time : 3 Hours

Max. Marks : 80

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

a) Respondent superior

b) Last opportunity rule

c) Libel

d) Public nuisance

e) Pigeon hole theory

f) Tort of conversion

g) Malicious prosecution.

(5×2=10 Marks)

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

a) Briefly explain the vicarious liability of the slate.

b) Explain the rule in Baker V. Bolton.

c) Explain the term 'service' under Consumer Protection Act 1986.

d) Explain the object of compulsory insurance under the Motor Vehicles Act 1988.

e) Write a note on the powers of 'National Commission' under Consumer Protection Act.

(4×4=16 Marks)



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

- a) 'A' complainant purchased one Lipton tea packet small black crystals were found in the tea which turned violet on boiling. What is the remedy available to the complainant ?
- b) 'A' booked a car and paid advance subsequently he requested for cancellation of booking and demanded refund. The company did not either refund or reply to the request. Advise 'A'.
- c) A bus tried to overtake a motor cycle and in the process it collided with a car from the opposite direction. A passenger in the car died. The widow and two children of the deceased want to claim compensation advise them ?
- d) 'X' keeps in his land water in a reservoir built through independent contractors. The water escapes and enters the land of B. Which contains coal ? 'B' sues 'A' alleging tortious liability. Decide ?
- e) 'A' made a statement that 'B' is a 'Saint' B files suit for defamation against 'A'. Decide ?

(4×6=24 Marks)

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

- a) What is consumerism ? How far it affects the economy of a middle class family ?
- b) Explain the methods by which a tort is extinguished.
- c) Define medical negligence. What are the civil remedies available in the case of medical negligence ?
- d) Explain the scope of constitutional tort in India.

(3×10=30 Marks)