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Reg. No. :

Name :

First Semester Integrated B.A. LL.B. Degree Examination, February 2013
Paper – V : LAW OF TORTS INCLUDING MOTOR VEHICLES ACCIDENT
AND CONSUMER PROTECTION LAWS

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) Damnum sine injuria.

b) Malice in Law.

c) Necessity.

d) Fair comment.

e) Deceit.

f) Award by M.A.C.T.

g) Consumer.

(5×2=10 Marks)

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

a) Write a note on privity of contract and tortious liability.

b) Distinguish between assault and battery.

c) What are the essentials for the tort of negligence ?

d) What is the composition of the District Forum ?

e) Appeals from award of M.A.C.T.

(4×4=16 Marks)



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

- a) A lorry driver suffering from venereal disease infected his wife during the course of their marital relationship. Discuss whether the wife can claim compensation in torts from her husband.
- b) The plaintiff had stacked firewood near a river for transportation across the river. Some military jawans took the firewood to their camp and used it for their camp fire. Discuss whether the plaintiff can claim compensation in torts from Union of India.
- c) When an LPG cylinder was delivered to the plaintiff, she asked the delivery boy to connect the cylinder to the stove as she could not remove the cap. The delivery boy asked for a sharp knife and she handed over a heavy knife and the cylinder exploded when the boy was trying to remove the cap in a crude manner. The gas company defended the case by pleading contributory negligence from the part of plaintiff. Discuss whether the plaintiff was negligent in this case.
- d) The defendant who was irritated by the daily singing of bajans by the plaintiff who was residing in his adjacent flat, used to whistle and beat steel plates aloud, to annoy the plaintiff while he was singing. Discuss whether the plaintiff is entitled for any remedy in torts.
- e) 'A' filed an application for housing loan in bank 'B' and the bank did not sanction the loan. Discuss whether a complaint will lie in the consumer forum in this matter against the bank.

(4×6=24 Marks)

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

- a) Explain the tort of trespass to land.
- b) Explain the rule in Rylands Vs Fletcher.
- c) Explain the essential conditions of liability in torts.
- d) Explain the composition and powers of National Commission under The Consumer Protection Act.

(3×10=30 Marks)