

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 VEHICLE ACCIDENT AND
CONSUMER PROTECTION LAWS**

(2020 Admission)

Time : 3 Hours

Max. Marks : 80

PART – A

- I. Explain **any six** of the following. Each question carries **2** marks. Answer should not exceed **50** words.
1. Damnum Sine Injuria
 2. Reasonable Man
 3. Innuendo
 4. Trespass to Goods
 5. Deceit
 6. Passing Off
 7. E-Commerce transactions under Consumer Protection Act, 2019
 8. 'Motor Vehicle' under Motor Vehicles Act, 1988.

(6 × 2 = 12 Marks)

PART – B

- II. Answer **any four** of the following. Each question carries **5** marks. Answer should not exceed **150** words.
1. Damage and Damages
 2. Tort and Crime
 3. Libel and Slander
 4. Rylands v. Fletcher
 5. Consumer Protection Councils
 6. Changes Brought about under Motor Vehicles (Amendment) Act 2019

(4 × 5 = 20 Marks)

PART – C

- III. Answer **any four** of the following. Each question carries **6** marks.
1. Defendant placed an effigy of the plaintiff at an exhibition among those of murders and ill-famed persons. Does this amount to defamation? Substantiate your answer.
 2. Plaintiff was wrongly prevented from exercising his vote by the defendants, the election officers. The candidate for whom the plaintiff wanted to give his vote had come out successful in the election. Does plaintiff has a right of action. Explain.
 3. A lady standing beside a cricket stadium (near a highway) was hit by cricket ball and injured. She filed a case, against the cricket club on the ground of negligence and nuisance. Decide.

4. The plaintiff who carried on the business of selling sarees as 'KalaNiketan' sought decree for permanent injunction restraining the defendant from dealing in sarees as 'Kala Niketan'. Decide.
5. Deceased DB was returning to his house driving his vehicle. Near a bridge of a Railway Station, he met with an accident and sustained grievous injuries. He was declared dead on arrival by the hospital. It was noted that it was an admitted position that the deceased was the owner-cum-driver of the vehicle in question. The accident occurred due to rash and negligent driving by the deceased. No other vehicle was involved in the accident. Legal Representatives claimed compensation from insurance company. Decide.

(4 × 6 = 24 Marks)

PART – D

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

1. Discuss General Defences in Tort.
2. Examine the Salient Features of Consumer protection Act 2019.
3. Elucidate the composition, power and functions of Motor Accident Claims Tribunal under the Motor Vehicles Act, 1988.

(2 × 12 = 24 Marks)