

Enrollment No.....



Faculty of Law  
End Sem Examination Dec 2024  
LW3CO02 Law of Torts & Consumer Protection  
Programme: B.A. LL.B. (Hons.)      Branch/Specialisation: Law  
/ B.B.A. LL.B. (Hons.)

**Duration: 3 Hrs.****Maximum Marks: 60**

Note: All questions are compulsory. Internal choices, if any, are indicated. Answers of Q.1 (MCQs) should be written in full instead of only a, b, c or d. Assume suitable data if necessary. Notations and symbols have their usual meaning.

		Marks	BL	PO	CO	PSO
Q.1	i. The word "tort" is derived from-	1	2	1	1	
	(a) Greek term                      (b) French term					
	(c) Latin term                      (d) None of these					
	ii. Tort is redressible by an action for	1	2	1	2	
	(a) Liquidated damages					
	(b) Unliquidated damages					
	(c) Specific performance					
	(d) Imprisonment					
	iii. Injuria sine damnum means:	1	2	1	2	
	(a) Injury to legal right with monetary loss					
	(b) Injury to legal right without monetary loss					
	(c) There is no violation of legal right					
	(d) None of these					
	iv. Which of the following is not a case relating to	1	2	1	2	
	Damnum sine Injuria?					
	(a) Acton v. Blundell					
	(b) Bhim Singh v. State of J & K					
	(c) Ushaben v. Bhagyalaxmi Chitra Mandir					
	(d) Gloucester Grammar School case					
	v. Maxim 'Res ipsa loquitur' means:	1	2	1	2	
	(a) The things speak for itself					
	(b) He who can't act himself cannot act at all					
	(c) He who does an act through another is					
	deemed in law to do it himself					
	(d) None of these					

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vi.	The remedy in case of tort is:	<b>1</b>	2	1	2	
	(a) Deterrent punishment to the wrongdoer					
	(b) Reformation of the wrongdoer					
	(c) Compensation money (damages)					
	(d) None of these					
vii.	Defamation is an example of:	<b>1</b>	1	1	1	
	(a) Malice in law (b) Malice in fact					
	(c) Both (a) and (b) (d) None of these					
viii.	The eggshell skull rule means?	<b>1</b>	2	1	2	
	(a) Defendant is liable for the full extent of a victim's injuries					
	(b) Defendant is not liable for the injury of the victim					
	(c) Both defendant and victim are equally liable					
	(d) No one is liable					
ix.	The Reylands vs Fletcher Case is famous for?	<b>1</b>	2	1	2	
	(a) Introduced the rule of strict liability					
	(b) Introduced the rule of absolute liability					
	(c) Introduced the rule of vicarious liability					
	(d) None of these					
x.	The M. C. Mehta vs Union of India Case is famous for?	<b>1</b>	2	1	3	
	(a) Introduced the rule of strict liability					
	(b) Introduced the rule of absolute liability					
	(c) Introduced the rule of vicarious liability					
	(d) None of these					
Q.2	Attempt any two:					
i.	Define Tort and explain the essential elements of Tort with decided case laws.	<b>5</b>	1	1	2	
ii.	Explain the doctrine of injuria sine damnum and damnum sine injuria with the help of decided case laws.	<b>5</b>	2	1	2	
iii.	Discuss the pigeonhole theory and its relationship with torts.	<b>5</b>	2	1	2	

		[3]				
Q.3	i.	Distinguish between judicial and quasi-judicial authority.	<b>2</b>	3	1	2
	ii.	What are the general defences available in torts? Also discuss the exceptions to it.	<b>8</b>	2	1	2
OR	iii.	Discuss legal damage as an essential element of tort'.	<b>8</b>	3	1	2
Q.4	i.	Discuss the manufacturer liability in short with help of decided case laws.	<b>3</b>	2	1	1,2
	ii.	What is nuisance? Distinguish between private and public nuisance.	<b>7</b>	2	1	1,2
OR	iii.	Discuss the principle of contributory negligence with the help of the landmark judgments.	<b>7</b>	3	1	3
Q.5	i.	Briefly explain the differences between assault and battery.	<b>4</b>	3	1	1
	ii.	What do you mean by defamation? What are the types of defamation?	<b>6</b>	3	1	1
OR	iii.	Define 'Remoteness of Damage'. What are those criteria which should precede while invoking the rule of remoteness of damage?	<b>6</b>	3	3	1
Q.6		Attempt any two:				
	i.	Define Motor Vehicle under Motor Vehicles Act, 1988. Who can apply for compensation and where the application for compensation will be filed?	<b>5</b>	2	1	1
	ii.	Explain the liability of the master for the tort committed by his servant. Discuss the relevant case laws also.	<b>5</b>	3	1	1
	iii.	Explain vicarious liability of State with the help of State of Rajasthan v. Vidyavati, AIR 1962 SC 933.	<b>5</b>	3	1	1

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## Scheme Marking

### LW3CO02 Law of Torts & Consumer Protection

Q.1	1. c. Latin term <b>1</b> 2. Tort is redressible by an action for <b>1</b> b. Unliquidated damages 3. Injuria sine damnum means: <b>1</b> b. Injury to legal right without monetary loss 4. Which of the following is not a case relating to Damnum sine Injuria <b>1</b> b. Bhim Singh v. State of J & K 5. Maxim 'Res ipsa loquitur' means: <b>1</b> a. The things speak for itself 6. The remedy in case of tort is: <b>1</b> d. Compensation money (Damages) 7. Defamation is an example of : <b>1</b> a Malice in law 8. The eggshell skull rule means? <b>1</b> a) defendant is liable for the full extent of a victim's injuries 9. The Reylands vs Fletcher Case is famous for? <b>1</b> a. introduced the rule of strict liability 10 b. introduced the rule of absolute liability <b>1</b>	
Q.2	i. Define Tort <b>1M</b> essential elements of Tort <b>2M</b> decided case laws. <b>2M</b> ii. doctrine of injuria sine damnum <b>2M</b> damnum sine injuria <b>2M</b> decided case laws. <b>1M</b>	<b>5</b>
OR	iii. Discuss the pigeonhole theory <b>2.5M</b> Relationship with torts. <b>2.5M</b>	<b>5</b>
Q.3	i. Distinguish between judicial <b>1M</b> quasi-judicial authority. <b>1M</b> ii. defences available in torts <b>4M</b> the exceptions <b>4M</b>	<b>2</b>  <b>8</b>
OR	iii. <b>one or two exceptions -2 marks and more than two 4 marks</b> Explain legal damage <b>4M</b> how its an essential element of tort'. <b>4M</b>	<b>8</b>
Q.4	i. What do you mean by the product liability? <b>3</b> ii. what is nuisance? Distinguish between private and public nuisance. <b>3M</b> Nuisance 2. Private Nuisance 2. Public Nuisance <b>4M</b>	<b>3</b> <b>7</b>
OR	iii. Discuss the principle of contributory negligence <b>3M</b> with the help of the landmark judgments. <b>4M</b>	<b>7</b>
Q.5	i. Briefly explain the differences between assault <b>2M</b> and battery. <b>2M</b> ii. What do you mean by defamation? <b>3M</b> What are the types of defamation? <b>3M</b>	<b>4</b>  <b>6</b>
OR	iii. Define 'Remoteness of Damage' <b>3M</b> What are those criteria which should precede while invoking the rule of remoteness of damage? <b>3M</b>	<b>6</b>
Q.6	Attempt <b>any two</b> : i. Define Motor Vehicle under Motor Vehicles Act, 1988. <b>2.5M</b> Who can apply for compensation and where the application for compensation will be filed? <b>2.5M</b> ii. Explain the liability of the master for the tort committed by his servant. <b>2.5M</b> Discuss the relevant case laws also. <b>2.5M</b> iii. Explain vicarious liability of State <b>2.5M</b> with the help of State of Rajasthan v. Vidyavati, AIR 1962 SC 933 <b>2.5M</b>	<b>5</b>  <b>5</b>  <b>5</b>
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