

Total No. of Questions: 6

Total No. of Printed Pages:3

Enrollment No......



MEDI-CAPS
UNIVERSITY

Knowledge is Power

Duration: 3 Hrs.

LW3CO32 Law of Torts & Consumer Protection
Programme: LL.B. (Hons.) Branch/Specialisation: La

Maximum Marks: 60

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Note: All questions

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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" was derived from ____ term.	1	1	1	1
	(a)	Greek	(b)	French		
	(c)	Latin	(d)	None of these		
ii.	Who was the founder of pigeon hole theory?	1	1	1	1	
	(a)	Dr. Williams	(b)	Salmond		
	(c)	Justice Holt	(d)	Winfield		
iii.	When a person consents to the infliction of harm upon himself, it is called-	1	1	1	2	
	(a)	Volenti non-fit injuria				
	(b)	Scienti non-fit injuria				
	(c)	Ubi jus ibi remedium				
	(d)	None of these				
iv.	Consent to suffer a harm can be-	1	1	1	1	
	(a)	Express	(b)	Implied		
	(c)	Both (a) and (b)	(d)	None of these		
v.	The famous ginger beer case is-	1	1	1	5	
	(a)	Ashby v. White				
	(b)	Donoghue v. Stevenson				
	(c)	Ryland v. Fletcher				
	(d)	Lumley v. Gye				
vi.	The famous "Jai santoshi maa" case is-	1	1	1	5	
	(a)	Acton v. Blundell				
	(b)	Bhim Singh v. State of J&K				
	(c)	Ushaben v. Bhagyalaxmi Chitra Mandir				
	(d)	Gloucester Grammar school case				

	[2]		[3]
vii.	The rule of strict liability was laid down in- (a) M. C. Mehta v. Union of India (b) Rylands v. Fletcher (c) Natayanan Bhattathiripad V. Travancore Gov. (d) Ponting V. Noakes	1 1 1 5	OR iii. What are the exceptions to volenti non fit injuria? Explain with illustration and decided cases.
viii.	Vicarious liability of state for the tort committed by its employees is based on its two types of powers- (a) Sovereign powers (b) Non-Sovereign powers (c) Both (a) and (b) (d) None of these	1 1 1 1	Q.4 i. Discuss the doctrine of contributory negligence with the help of case law. 3 3 1 1 ii. "X" is a manufacturing company of beer. Y consumed the beer manufactured by "X" and suffered health disorder due to contaminated beer. Is "X" liable under the torts? Explain the liability of "X" and advise "Y" to file a suit under the same. 7 3 1 3
ix.	Which of the following are Consumer Disputes Redressal Agencies? (a) Panchayat Commission (b) Municipal Commission (c) State Commission (d) None of these	1 1 1 1	OR iii. Explain nuisance? Distinguish it between public and private nuisance. 7 2 1 2
x.	What is the Fiscal jurisdiction of the District Commission? (a) Up to 1 Crore (b) Up to 5 Crore (c) Up to 10 Crore (d) None of these	1 1 1 1	Q.5 i. Explain the difference between libel and slander. When slander becomes "actionable per se"? 4 2 1 2 ii. Discuss the rule of foreseeability in determination of remoteness of damages. 6 2 1 2
Q.2	i. Write Short Notes on the following (a) Injuria sine damno and damnum sine injuria; (b) Ubi jus ibi remedium, ii. Explain the concept of Pigeonhole Theory. iii. Explain the concept of Torts in consonance with the remedies available for the torts.	2 2 1 2	OR iii. Define assault and distinguish it from battery. 6 2 1 2
OR	iv. Explain the relevance of "motive" in action of torts.	5 2 1 1	Q.6 Attempt any two: i. Explain the rule of absolute liability in consonance with M.C Mehta v. Union of India 5 2 1 5 ii. Explain the principles of strict liability. State the exceptions. 5 2 1 4 iii. Explain the composition, powers, functions of District Forum. 5 2 1 1
Q.3	i. What do you understand by parental and quasi parental authority under the torts? ii. Enumerate all the defences available under the law of torts.	2 1 1 1 8 2 1 1	*****

Marking Scheme

LW3CO32 Law of Torts and Consumer Protection

- ii. Explain the principles of Strict liability. State the exceptions with decided case laws. **5**

Principles of Strict Liability 2M

Exception to the strict liability 2M

Case Laws 1M

- iii. Explain the composition, powers, functions of District Forum. **5**

Composition of District Forum 2M

Function of District Forum 2M

Powers of District Forum 1M