

JUNE - 2014

Duration : 3 Hours

Max. Marks:100

UNIT - I

1. a) Define 'Tort' and bring out all the essentials of Torts with illustrations. **(Refer Page No. 11)**

OR

Define 'Tort' and distinguish it from the crime and contract. **(Refer Page No. 11, 17 & 18)**

- b) Write short note on:

"UBI JUS IBI REMEDIUM". **(Refer Page No. 30)**

OR

Mental element in a Tort. **(Refer Page No. 32)**

UNIT - II

2. a) Enumerate and examine the general defences to an action in Tort. **(Refer Page No. 64)**

OR

How to determine the relationship between master and servant? Explain. **(Refer Page No. 85)**

- (b) The plaintiff and her husband were employed by the defendant who was running a lodge. The husband was employed as manager of the lodge and the wife as his helper. "Owing to negligence of the husband the wife sustained injuries. She sued the defendant for damages. Will she win? **(Refer Torts Volume - II - Separate Book)**

OR

Statutory Authority. **(Refer Page No. 83)**

UNIT - III

3. a) Explain the Nature of Negligence as a Tort. **(Refer Page No. 234)**

OR

What is the rule in Rylands Vs. Fletcher? How can a defendant avoid his prima facie liability under the rule? **(Refer Page No. 260)**

- (b) Mr. X while on hunting -expedition, fired at a bird. One of the pellets from his gun recoiled from the bough of a tree and accidentally struck Y, who was engaged in carrying cartridges and was injured is X liable?**(Refer Torts Volume - II - Separate Book)**

OR

X, the occupier of land ploughed it up. Soon afterwards a large crop of thistles grew on the land and large quantities of thistle seeds blow on to the land of his neighbour Y. Is X liable to Y?**(Refer Torts Volume - II - Separate Book)**

UNIT - IV

4. a) What must a plaintiff prove in order to succeed in an action for “false imprisonment”? Consider the defences available to such an action.**(Refer Page No. 153)**

OR

Define malicious prosecution. Explain essential ingredients of malicious prosecution.**(Refer Page No. 158)**

- (b) ‘X’ purchased a ticket for a circus show and entered the gallery to take his seat. He was forcibly turned out by the manager under a mistaken belief that he had no ticket for the show. Can ‘X’ claim damages from the manager of the Circus Co.,?**(Refer Torts Volume - II - Separate Book)**

OR

Pointing a loaded pistol at a person is of course an assault. But what if the pistol be unloaded?**(Refer Torts Volume - II - Separate Book)**

UNIT - V

5. a) Explain the terms complaint and complainant.**(Refer Consumer Protection Act)**

OR

What are the objects of the Central Consumer Protection Council? **(Refer Consumer Protection Act)**

(b) Write short notes on:

Medical services. **(Refer Consumer Protection Act)**

OR

Consumer. **(Refer Consumer Protection Act)**



DECEMBER - 2014

Duration : 3 Hours

Max. Marks:100

Instructions :

- 1. Answer Q.No. 9 and any five of the remaining.**
- 2. Q.No. 9 carries 20 marks and the remaining questions carry 16 marks each.**
- 3. Answer should be written either in English or in Kannada.**

1. Define Tort. Explain the essential elements of tort with decided cases. **(Refer Page No. 11)**

Marks:16

2. Enumerate and examine the general defences to an action in tort. **(Refer Page No. 64-83)**

Marks:16

3. "In negligence, liability for the consequences of the wrong is limited by the bounds of reasonable foresight". Discuss. **(Refer Page No. 234)**

Marks:16

4. Discuss the liability of master for the acts of his servants. **(Refer Page No. 85)**

Marks:16

5. Discuss the rule laid down in Rylands Vs. Fletcher and M.C.Mehta Vs. Union of India (Oleum gas leak). **(Refer Page No. 261)**

Marks:16

6. Explain the various kinds of remedies available in tort. **(Refer Page No. 130)**

. Write short notes on any two of the following:

(Marks: 8 x 2=16)

1. Distinguish between Tort and Crime.**(Refer Page No. 17)**
2. The liability for causing nervous shock.**(Refer Page No. 184)**
3. Actio personalis moritur cum persona.**(Refer Page No. 120)**

9. Solve any two of the following problems.(Marks: 10 x 2=20)

- a) 'A' was a Chairman at a Parish meeting. 'B' who was sitting seventh places away on the same table proved unruly, where upon a resolution to eject him was passed. 'B' who was annoyed by this, said that he would rather pull 'A' out of the chair. Then he be ejected and moved towards 'A' out of the chair. Then he be ejected and moved towards ;A; with clinched fists. But he was stopped by the chruch warden sitting next. Whether 'B' has committed and wrong? Decide.**(Refer Torts Volume - II - Separate Book)**
- b) The plaintiffs and defendants dogs were fighting. The defendant was beating there in orderto seperate them. As the plaintiff was looking, the defendant accidentally hit plaintiff's eye causing severe injuries. Is the defendant liable for the damage?**(Refer Torts Volume - II - Separate Book)**
- c) An army vehicle colided with a private car on account of negligence of the driver of army vehicle. A passenger travelling inthe car wasenjured seriously in the accident. He files a suit for damagesagainst the government. Decide.**(Refer Torts Volume - II - Separate Book)**



7. Define the terms "consumer" and "services". Explain the composition, powers and functions of District Forum.**(Refer Page No. 34 & 74)**

Marks:16