

JUNE - 2015

Duration : 3 Hours

Max. Marks:100

1. Define and distinguish between Tort and Crime. Tort and Contract. **(Refer Page No. 11)**
2. "Harm suffered voluntarily does not constitute a legal injury and is not actionable". Examine the scope of this rule. **(Refer Page No. 65)**
3. Explain briefly the exceptions to the general rule that all persons are liable to be sued.**(Refer Page No. 50)**
4. Define "Assault" and distinguish it from "Battery". State the circumstances in which they may be justified.**(Refer Page No. 145)**
5. What is Malicious Prosecution? Explain its essentials. **(Refer Page No. 158)**
6. Explain the principle of strict liability and distinguish it from absolute liability with relevant case laws.**(Refer Page No. 260)**
7. Discuss the salient features of Consumer Protection Act, 1986.) **(Refer Consumer Protection Act)**
- 8. Write short note on any two of the following:**
 - a. Injuria sine Damnum and Damnum sine Injuria. **(Refer Page No. 25)**
 - b. Kinds of remedies. **(Refer Page No. 130)**
 - c. Nuisance. **(Refer Page No. 225)**
- 9. Solve any two of the following problems:**
 - a. A hundred year old clock tower was situated in a busy street of Magadha city. The clock tower was exclusively under the control of Municipal Corporation of Magadha city. The normal time of the clock tower was estimated to be 60 years. The clock tower collapsed resulting in the death of 25 people. Can the Municipal Corporation of Magadha city be held liable?
(Refer Torts Volume - II - Separate Book)

- b. 'Z' the defendant published a news item in his newspaper that Mr. 'X' married Ms. 'Y'. But Mr. 'X' was already married. Mr. 'X's'wife sued 'Z' for defamation – Can the succeed? **(Refer Torts Volume - II - Separate Book)**
- c. The defendant left a two horse van unattended in a crowded street. A boy throws a stone at the horses and they started running awaycausing injury to women and children. A policeman who was on duty inside the police station seeing the horses and in the process sustained injuries. The policeman sued the defendant claiming compensation. Can he succeed?**(Refer Torts Volume - II - Separate Book)**



DECEMBER - 2015

1. Bring out the importance of mental elements in tort . **(Refer Page No.)**
2. Explain the general defences available against tortuous liability. **Refer Page No.)**
3. Discuss the concepts of strict liability and absolute liability. **Refer Page No.)**
4. Explain Trespass to person. **Refer Page No.)**
5. Elaborate on Malicious Prosecution. **Refer Page No.)**
6. What are the remedies available for a tort? **Refer Page No.)**
7. Explain the forums created under consumer Protection Act, 1986. **Refer Page No.)**
8. Write short notes on any two of the following

(a) UBI JUS IBI REMEDIUM **Refer Page No.)**

(b) Intimidation **Refer Page No.)**

(c) Unfair Trade Practice **Refer Page No.)**

9. Solve any two of the following problems

(a) A fails to save a drowning child. Can he be held tortiously liable? **(Refer Torts Volume - II - Separate Book)**

(b) The defendant told the plaintiff as a practical joke that her husband had met with an accident and was seriously injured and lying in the hospital. On hearing this the plaintiff suffered a nervous shock and became ill. Can she claim damages? **(Refer Torts Volume - II - Separate Book)**

(c) defendant sent a defamatory letter written in Urdu to the plaintiff. The plaintiff did not know Urdu and therefore the same was read over to him by a third person. The defendant knew that the plaintiff did not know Urdu. Does it amount to defamation? **(Refer Torts Volume - II - Separate Book)**

