

LAW OF TORTS

(2018 BATCH)

DECEMBER 2018

UNIT - I

1. (a) Explain 'damnum sine injuria' and 'injuria sine damno' with decided cases.

OR

- (a) Discuss the importance of mental elements in tortious liability.

- (b) John walks across Jack's field without his permission causing no damage. Has he committed any wrongful act? Decide.

OR

- (b) 'X' dug a well in his land for use of his farm, as a result of which water from the well of 'Y', his neighbor, dried away. Can Y sue X? Decide.

UNIT - II

2. (a) Discuss the liability of master for the wrongful acts of his servant.

OR

Explain 'inevitable accident' and 'private defence' as defences to tortious liability.

- (b) The plaintiff sent her fur coat to defendant for dry-cleaning. The defendant assigned this work to his servant. The servant stole the coat. Decide the liability of the defendant.

OR

Due to heavy rainfall the wall of defendant's house collapsed resulting in death of plaintiff's child. In an action for damages, the defendant pleaded the defense of act of God. Can he succeed? Decide.

UNIT – III

3. (a) Discuss the principle of remoteness of damages.

OR

Explain the rule in *Rylands V. Fletcher*.

(b) 'A' parked his car on a street with his dog inside. As 'B' was walking past the car, the dog which had been jumping inside smashed the glass panel and as a result a splinter hit B's eye and caused injury. Is A liable to pay damages to B? Decide.

OR

'M' employed 'C' an independent contractor to repair a lamp overhanging the front doorway. As it was not properly fastened, the lamp fell on 'P' a passer by 'P' sustained injuries, Can 'P' claim damages from 'M'? Decide.

UNIT – IV

4. (a) Define defamation. Distinguish between libel and slander.

OR

Explain the tort of conversion.

(b) In order to protect his crop from trespassing pigs 'X' laid traps on his land. Y's cow strayed into that land and fell into the trap and was killed. Can 'X' be held liable to pay damages? Decide.

OR

Some persons combine and go to the theatre and boo and hoat out an actor. What is their liability? Decide.

UNIT – V

5. (a) Explain the composition, powers and functions of State Commission under the Consume Protection Act.

OR

Explain the salient features of Motor Vehicles Act.

(b) A Surgeon in hospital 'X' conducted an eye operation on Mr., 'P' negligently, as a result 'P' lost his eye sight partially. P wants to claim 15 lakhs as compensation before the consumer forum. Advice him.

OR

Write short note on “insurance against third party risks”.