

LAW OF TORTS
MARCH/APRIL 2021

1. (a) Define tort and distinguish it from breach of contract.
(b) Write a note on “ubi jus ibi remedium”.
2. (a) Discuss legal damage as an essential element of tort.
(b) ‘A’ walks across ‘B’s garden without B’s permission, doing no damage to the garden. Has he committed any wrongful act? Decide.
3. (a) To what extent consent is a defence in an action for tort?
(b) Write a short note on statutory authority.
4. (a) Explain the liability of master for the wrongs of his servants.
(b) Plaintiff’s dog chased the defendant. On the defendant turning round and raising the gun, the dog ran away. The defendant shot the dog. Is he justified in doing so? Decide.
5. (a) Explain the rule in Rylands Vs. Fletcher with exceptions.
(b) Write a short note on ‘reasonable care”.
6. (a) What are the differences between private and public nuisance?
(b) ‘X’ is residing in the first floor of a building. ‘Y’ intends to start a flour mill on the ground floor of the same building. This would cause nuisance to ‘X’. Advise what action he can take?
7. (a) Explain tort of malicious prosecution.
(b) Write a note on assault.
8. (a) What are the defences available in an action for defamation?
(b) ‘X’ borrowed a wrist watch from ‘Y’ for his use for a few days and later sold it. Has ‘X’ committed any tort? Decide.
9. (a) State the procedure to be followed by the district forum commission on receipt of a complain.
(b) Write a note on defective goods.
10. (a) State the salient features of Motor Vehicles Act.
(b) The parent of a child who was ill, admitted the child to a hospital. Due to administration of wrong medicine in the hospital, the child became premanently disbled. Advise the parent.