

B.A.LL.B. Semester II April 2018 Examination.

**LAW OF TORTS**

Duration: 3 Hours

Total Marks: 75

**Instructions:**

1. Answer any **Eight** questions from Q.No.1 to 12 (8x8=64)
2. Q. No. 13 and Q. No. 14 are compulsory.
3. Students are advised to incorporate the **exact question number** in the answer scripts.
  
1. Define a Tort. Distinguish Tort with Crime, Breach of Contract and Breach of Trust.
2. "When a person consents to the infliction of some harm upon himself, he has no remedy in torts". Explain Defence of Consent as a general defence under Law of Torts.
3. Explain capacity to sue and to be sued with respect to Corporation and Joint tortfeasors and Independent tortfeasors.
4. A master is vicariously liable for the acts of his servants acting in the course of employment. Elucidate this statement with case laws.
5. Explain the essentials of Battery and distinguish it from Assault as a tort.
6. Explain the kinds, essentials and defences of the tort of Defamation.
7. Explain the essential ingredients of the tort of Malicious Prosecution.
8. Explain the essentials of tort of Negligence with relevant case laws.
9. What are the essentials and defences for tort of Private Nuisance? How Private Nuisance is different from Public Nuisance.
10. Examine the 'Scienter Rule' with the help of decided cases.
11. The rule of Absolute Liability is the development of the rule laid down in the case of Rylands v. Fletcher. Elucidate.
12. Explain the concepts of 'Consumer' and 'Deficiency of Service' under the Consumer Protection Act, 1986.
  
13. Write short notes on **any two** of the following: (2x3=6)
  - a. Mental Element in Tortious Liability
  - b. Discharge of Tortious Liability
  - c. Essentials of Deceit
  - d. Act of God
  
14. Write short notes on **any two** of the following: (2x2.5=5)
  - a. Damnum Sine Injuria
  - b. Obligation towards trespassers
  - c. Damages as remedy in tort
  - d. Intimidation

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