

School of Law

Bachelor of Law
ETE - Jun 2023

Time : 3 Hours

Marks : 100

Sem II - J1UA204T / BLLB1024 /BALB1026 /BLA01133 / BLA02133

Law of Torts Consumer Protection Act 1986: Motor Vehicles Act 1988

Your answer should be specific to the question asked

Draw neat labeled diagrams wherever necessary

1. Distinguish between assault and battery. K1 CO2 (5)
2. Distinguish between libel and slander. K2 CO3 (5)
3. Discuss the role of the Rule of Last Opportunity. K1 CO1 (5)
4. There is a specific tort named Nuisance. Correlate nuisance with its kind and illustrate Nuisance as a tort with case laws. K3 CO3 (10)
5. "Real Significance of legal damage is illustrated by two maxims- "Injuria sine damnum and "Damnum sine Injuria". Examine the role in the essential of Law of Torts with other essentials. K2 CO2 (10)
6. Consumer Protection Act as a legislation helped the consumers in protecting their rights. Appraise the features of this legislation with various consumer rights. K4 CO5 (10)

OR

- Analyze the Consumer Dispute Redressal Mechanism and also explain the territorial jurisdiction of Consumer Forums. K4 CO5 (10)
7. A, a chemical industry, stored a large amount of toxic gas in its building in concrete tanks specially constructed for the purpose. Due to some unknown reason, one of the tanks collapsed and gas leaked. Exposure to this gas cause death to numerous persons in and around the industry. Applying the rule of no-fault liability identify, which liability, if any occurs, of the industry towards the victim of the tragedy. Will the answer be different if the tanks collapsed due to earthquake. K3 CO4 (10)
 8. A military vehicle driven by a military driver was returning after collecting tents from an outdoor training area. The tent was to be brought back to the regiment. The vehicle knocked down Mr. Atul. The widow of Mr. Atul filed a suit to recover compensation against the Union of India. Union of India pleaded sovereign immunity in defence. Decide with the help of judicial decisions, if any. K4 CO4 (15)
 9. Sapna went to a surgeon for operation to remove stones from her kidney. The surgeon 'Dr. X' performed the operation but left a gauze piece in the abdominal cavity during operation. Peritonitis, a problem developed which led to a second surgery being performed on her. She sues 'Dr. X' for negligence. Dr. X takes the plea of Volenti non fir Injuria. Decide giving reasons K5 CO5 (15)
 10. Poisonous berries were grown in public garden under the control of D. Shrub bearing berries was neither fenced nor a notice regarding its poisonous character displayed. Berries looked like cherries. A child, aged seven, ate those berries and died. Would D be held liable for tort of Negligence enshrining the essential elements and concepts involved in negligence? Decide giving Reasons K5 CO6 (15)

OR

- "In order to identify whether Standard of reasonable care was undertaken by the defendant or not the Courts through judicial decisions have identified three tests under the ambit of negligence". Validate this statement with help of case laws. K5 CO6 (15)