

BALLB
FIFTH SEMESTER
LAW OF TORT INCLUDING MV ACT & CONSUMER
PROTECTION ACT
BLB – 503 [REPEAT]
(USE OMR SHEET FOR OBJECTIVE PART)

Duration : 3 hrs.

Full Marks : 80

(Objective)

Time : 30 min.

Marks : 30

Choose the correct answer from the following:

1×10=10

1. " A tort is an infringement of right of a private individual giving a right of compensation at the suit of the injured." Who said this?
 - a. Salmond
 - b. Fraser
 - c. Dr. Winfield
 - d. Mr. Heuston
2. Who criticized Salomond's theory as Doctrine of pigeon hole?
 - a. Sir Fredric Pollock
 - b. Dr.Winfield
 - c. Fraser
 - d. Mr.Heuston
3. "Torts are various , nor limited, nor codified."who said this?
 - a. Lord Comden
 - b. Lord Mansfield
 - c. Dr. Allen Coven
 - d. Fredic
4. Damage is the direct result of the defendant's wrongful act.
 - a. True
 - b. False
 - c. Partly false
 - d. Partly true
5. Motive is not an essential element in tort.
 - a. True
 - b. False
 - c. Partly true
 - d. Partly false
6. Torts are grounded in the concept of-
 - a. Law
 - b. court
 - c. rights
 - d. Sincerity
7. Which one of the following is not an example of vicarious liability?
 - a. Liability of the principal for the tort of his agent
 - b. Liability of the partners for each others' tort
 - c. Liability of the master for the tort of his servant
 - d. Liability of the parents for the tort of the children.
8. Defamation involves-
 - a. Using a weapon
 - b. At least 5 people to be present
 - c. A contact
 - d. Making false statements about someone
9. Negligence involves-
 - a. A crime
 - b. carelessness
 - c. Assault
 - d. Trespass
10. Which of the following is not an element of an intentional tort?
 - a. An intentional tort occurred
 - b. An injury resulted from the tort
 - c. The tort did not cause the injury
 - d. The injury caused damages to the person

Answer the following: (Use descriptive answer sheet)

2×10=20

1. Write two difference between tort and crime.
2. What is motive?
3. What is *volenti non fit injuria*?
4. What do you mean by Alien enemy?
5. Define False Imprisonment?
6. Write two difference between libel and slander.
7. Define Negligence.
8. What are two difference between tort and quasi contract?
9. Write two characteristics of tort.
10. What is *ubi jus ibi remedium*?

(Descriptive)

Time : 2 hrs. 30 min.

Marks : 50

[Answer the following questions]

1. Define tort. Explain tort in India justifying the reasons for the slow development of tort in India. 5+5=10

Or

Explain in brief about the general defences or justification of tort. 5+5=10

2. What are the general conditions of liability in tort? Explain. 10

Or

Describe in brief about the mental elements in torts. 10

3. What is the meaning of consumer as mentioned in the consumer protection Act? State the composition and jurisdiction of National Commission. 2+8=10

Or

Describe the main features of the Consumer Protection Act, 2019 stating the rights of the consumers. 10

4. Write a brief note on trespass to property. 10

Or

What is defamation? What are its kinds. Explain the essentials of defamation. 2+2+6=10

5. Define Claims Tribunal. Explain the powers and procedure of Claims Tribunal. 10

Or

Write a brief note on the objectives and features of Motor Vehicle Act, 2019. 10

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