

2012

LL.B., First Semester

Paper – V: Law of Torts and Consumer Protection Act

Time allowed: 3 Hours

Max. Marks: 80

**NOTE:** Attempt five questions in all, including Question No. I (Unit-I) which is compulsory and selecting one question each from Unit II-V.

x-x-x

**UNIT – I**

I. Answer the following:-

- a) Distinguish between tort and crime.
- b) Write a brief note on 'Act of God' as a defence.
- c) Explain the Maxim Res Ipsa Loquitor
- d) Explain in brief the tort of trespass. (4x5)

**UNIT – II**

- II. Rescue cases are an exception to the defence of volenti non fit injuria. Explain with examples. (15)
- III. Define tort and discuss the essential constituents of tort. (15)

**UNIT – III**

- IV. Explain the rule of absolute liability laid down by the Supreme Court of India in M.C. Mehta's case and compare it with the rule laid down in Ryland V. Fletcher. (15)
- V. Discuss the liability of the government in India for the torts committed by its employees during the course of employment. (15)

**UNIT – IV**

- VI. Discuss the essential constituents of the tort of nuisance. Also discuss the defences available against this tort. (15)
- VII. Discuss the defence of 'Qualified Privilege' in an action for tort of defamation. (15)

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UNIT – V

- VIII. Discuss the definition of 'Consumer' and 'Services' provided under the Consumer Protection Act, 2019. (15)
- IX. How far the constitution of the Central Consumer Protection Authority established under the CPA 2019 will be beneficial for the consumers protection. (15)

X-X-X