

GOA UNIVERSITY
G.R.KARE COLLEGE OF LAW
LL.B.(HONS) SEM IV

LAW OF TORTS

OCT 2011,

APRIL 2011,

Oct 2010,

April 2010,

OCT 2009,

OCT 2008,

APRIL 2008,

OCT 2007,

APRIL 2007,

APRIL 2006,

OCT 2005,

APRIL 2005,

OCT 2002,

APRIL 2002,

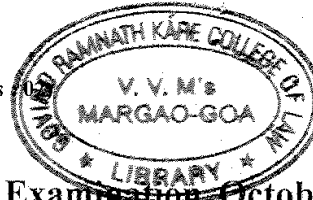
2001,

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B - 21

14/10/11
(Friday)

(Pages)



TNY - 72

[Total No. of Questions : 14]

LL.B. (Hons.) (Semester - IV) Examination, October - 2011

LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

- Instructions :**
- 1) Answer any 8 questions from Questions 1-12.
 - 2) Question Nos. 13 and 14 are compulsory.
 - 3) Cases should be incorporated wherever possible and necessary.
 - 4) Begin each answer on a fresh page & write question numbers correctly.

- Q1)** How far *volenti non fit injuria* is a defense with the help of case law. [8]
- Q2)** Examine the extent of application of vicarious liability especially where the servant disobeys the master. [8]
- Q3)** State suitable definition of torts and explain the basis of tortious liability. [8]
- Q4)** In recent times even causing death in addition to being a criminal offence is considered as a tort in itself. Explain with suitable cases. [8]
- Q5)** Examine the extent of intention for the tort of malicious prosecution. And what are its essentials? [8]
- Q6)** Discuss the essentials of the tort of negligence with suitable cases. [8]
- Q7)** The test foreseeability is one of the main criteria to assess remoteness of damages. Explain with suitable cases. [8]
- Q8)** Examine the essentials of the tort of assault and battery. And what are the defenses for such the torts? [8]
- Q9)** Defamation as a tort has certain basic essentials. Examine each of the essentials with suitable cases. [8]
- Q10)** To whom and to what extent is the liability of the occupier for injuries caused to persons visiting his premises. [8]

P.T.O.

Q11) The Motor Vehicles Act provides for various kinds of insurance. Examine in brief, the nature of these insurances and the extent of claim available. [8]

Q12) Examine the scope and ambit of the term under the Consumer Protection Act. [8]

Q13) Write short notes on any two : [6]

- a) Slander and libel.
- b) Slander of Goods.
- c) Rights and obligations of a corporation in tort.

Q14) Write short notes on any two : [5]

- a) Absolute liability.
- b) Conspiracy.
- c) Intention and motive in tort.



LL.B. (Hons.) (Semester - IV) Examination, April/May 2011
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

- Instructions :**
- 1) Question Nos. 13 & 14 are compulsory.
 - 2) Answer any 8 questions from Q.No. 1 to 12.
 - 3) Cases should be incorporated wherever possible and necessary.
 - 4) Begin each answer on a fresh page & write question numbers correctly.

- Q1)** There are two views on the basis for tortious liability explaining with suitable illustrations. [8]
- Q2)** Examine the maxim volenti non fit injuria as a valid defence in tort. [8]
- Q3)** Examine the extent of scope of employment to hold the master liable. [8]
- Q4)** Explain and distinguish between assault and battery with suitable cases. [8]
- Q5)** What constitutes the tort of defamation? Explain with cases. [8]
- Q6)** When does causing nervous shock become objectionable. Explain with cases. [8]
- Q7)** When is contributory negligence available as defence. Explain. [8]
- Q8)** Explain and distinguish between private nuisance and public nuisance. [8]
- Q9)** Explain the tort of conversion with suitable illustrations for each kind. [8]
- Q10)** How far occupier of premises is liable for visitors to his premises. [8]
- Q11)** Explain the different kind of insurances under Motor Vehicles Act. [8]

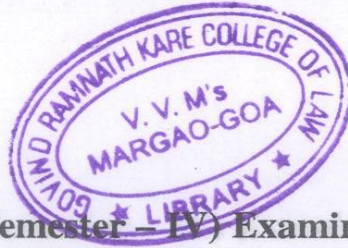
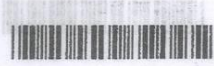
Q12) Examine the powers and functions of the authorities under Consumer Protection Act. [8]

Q13) Short notes on any two. [6]

- a) Slander of goods.
- b) Discharge of tort.
- c) Absolute liability.

Q14) Short notes on any two. [5]

- a) Right by way of easements.
- b) Res ipsa loquitur.
- c) Strict liability.



14/10/2010
(Thursday)

TONY - 72

LL.B. (Hons.) (Semester - IV) Examination, October 2010

LAW OF TORTS

Duration: 3 Hours

Total Marks : 75

Instructions : 1) Answer any 8 questions from Question No. 1-12.

2) Question No. 13 and 14 are compulsory.

3) Cases should be incorporated wherever possible and necessary.

4) Begin each answer on fresh page and write question No. correctly.

1. Examine the meaning and nature of tort based on their theories. 8
2. Discuss how far volenti non fit injuria is a valid defense with relevant cases. 8
3. Is causing death a tort ? Discuss with the help of cases. 8
4. Examine the liability of the master for the tortuous acts of the servants when the servant does an act expressly prohibited. 8
5. Explain the theory of remoteness of damages with cases. 8
6. What are the essentials and defenses for the torts of assault and battery ? 8
7. Examine the basic essentials of the tort of defamation. 8
8. What are the essentials for malicious prosecution ? 8
9. Examine the ambit of duty to take care in the case of negligence. 8
10. Analyze the extent of liability of an occupier of premises. 8

P.T.O.



11. Discuss the kind of insurance that are available under the Motor Vehicles Act. 8

12. Discuss the meaning of the term consumer under the Consumer Protection Act. 8

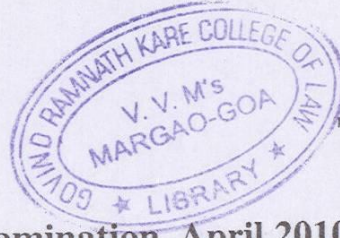
13. Write short notes on **any two** : 6

- a) Trespass by animals.
- b) Slander of Goods.
- c) Absolute liability.

14. Write short notes on **any two** : 5

- a) Liability of Corporation to be sued.
- b) Conspiracy.
- c) Mental element in Law.

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TNY - 72

LL.B. (Hons.) Semester – IV Examination, April 2010
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

- Instructions :** 1) Answer **any 8** questions from Question No. 1 – 12.
2) Question No. 13 and 14 are **compulsory**.
3) **Cases** should be incorporated **wherever possible and necessary**.
4) Begin **each** answer on **fresh page** and write **question no. correctly**.

1. Examine the maxim Ubi jus ibi remedium. 8
2. Examine inevitable accident and act of God as general defenses. 8
3. Examine the extent of master's liability if a servant commits a fraudulent act. 8
4. Examine the essentials of strict liability and the exceptions. 8
5. Discuss the essentials and defenses of the tort of false imprisonment. 8
6. Discuss the meaning of the words 'The words must be defamatory'. 8
7. What are the principles used to measure damages in tort ? 8
8. Examine the extent of liability in cases of negligent misstatement. 8
9. Examine the concept of standard of care in case of negligence. 8
10. What is trespass ? Explain different kind of trespass. 8
11. Examine the various kind of tort of conversion. 8

P.T.O.

TNY - 72



12. What are the situations when a consumer can hold the supplier liable? 8

13. Write short notes on **any two** : 6

a) Independent Contractor.

b) Slander and libel.

c) Bhopal Gas Tragedy.

14. Write short notes on **any two** : 5

a) Liability of minor for tort.

b) Intimidation.

c) Nervous shock.



LL.B. (Hons.) (Semester - IV) Examination, October 2009
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

Instructions: 1) Answer any eight questions from Q. No. 1 to 12.

2) Question No. 13 and 14 are compulsory.

(8×8=64)

1. Define Tort and distinguish it from a breach of contract. 8
2. Discuss the defences available in case of a tort, with relevant case laws. 8
3. Discuss the concept of liability of a master for the acts of independent contractor. 8
4. Discuss the tort of trespass to land, and its defences. 8
5. Rule of strict liability was laid down in Ryland v. Fletcher. Discuss. 8
6. Explain the tort of negligence with the help of case laws. 8
7. Discuss the essentials of tort of defamation with case laws. 8
8. Battery is an accomplished assault. Discuss. 8
9. Explain the various kinds of remedies available in case of tort. 8
10. Who is a 'consumer', under the Consumer Protection Act ? 8
11. Discuss the tort of conspiracy and passing off, with relevant cases. 8
12. Distinguish between : 8
 - a) Public Nuisance and Private Nuisance.
 - b) Ordinary damages and Exemplary damages.
13. Write short notes (any two) : (2×3=6)
 - a) Scianter Rule.
 - b) Negligent Misstatement.
 - c) Tort of conversion.
14. Write short notes (any two) : (2×2.5=5)
 - a) Malicious Prosecution.
 - b) Reasonable Foreseeability Test.
 - c) Injuria sine damno.

LL.B. (Hons.) (Semester - IV) Examination, 2008
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer any eight questions from Q. Nos. 1 to 12.

2) Question Nos. 13 and 14 are compulsory.

(8×8=64)

1. Define tort. Distinguish tort from crime and contract.
2. How far are Statutory Authority, Mistake and Necessity valid defences in tort ?
3. Examine the position of a Minor and a Corporation in relation to the Law of Torts.
4. The Employer is generally not liable for the acts of an independent contractor employed by him. Discuss.
5. Discuss trespass to land and the defences available in case of trespass to land under the Law of Torts.
6. Explain the various remedies available under the Law of Torts.
7. Explain the rule of Strict Liability and discuss the exceptions of the rule.
8. Distinguish between libel and slander. What are the defences to the tort of defamation ?
9. Examine the tort of passing off with the help of decided cases.
10. Explain the essentials of the tort of negligence with reference to leading cases on the point.
11. Who is a consumer under the Consumer Protection Act 1986 ?
12. Distinguish between :
 - a) Private nuisance and public nuisance
 - b) Assault and battery.



13. Write notes on any two :

(2×3=6)

- a) Intimidation
- b) Pigeon hole theory
- c) Conversion.

14. Write notes on any two :

(2×2.5=5)

- a) Injuria sine damno
- b) Deceit
- c) Scier rule.

1. Define tort. Distinguish tort from crime and contract.
 2. How far are Statutory Authority, Mistake and Necessity valid defences in tort ?
 3. Examine the position of a Minor and a Corporation in relation to the Law of Torts.
 4. The Employer is generally not liable for the acts of an independent contractor employed by him. Discuss.
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LL.B. (Hons.) (Semester - IV) Examination, April 2008

LAW OF TORTS

Duration : 3 Hours

Max. Marks : 75

Instructions : 1) Answer any eight questions from Q. Nos. 1 to 12.

2) Question Nos. 13 to 14 are compulsory.

(8×8=64)

1. Tortious liability arises from the breach of a duty primarily fixed by the law : this duty is towards persons generally and its breach is redressible by an action for unliquidated damages. Discuss.
2. The defence of volenti non fit injuria is a valid defence under the Law of Torts but it has certain limitations. Explain with illustrative cases.
3. Examine the liability of a corporation and a minor in tort.
4. Discuss with the help of decided cases the liability of the state for the wrongs done by its servant in the course of his employment.
5. Discuss the following :
 - a) Inevitable accident.
 - b) Liability of joint tort feasons.
6. Explain trespass ab initio with the help of cases on the point.
7. The test of reasonable foresight is the correct test to determine the liability of the defendant under the Law of Torts. Discuss.
8. Negligence as a tort is the breach of a legal duty to take care, which results in damage, undesired by the defendant, to the plaintiff. Discuss with cases.



9. State and explain the various defences to an action for nuisance.
10. Discuss the rule of strict liability and distinguish it from absolute liability.
11. Examine with illustrations service and deficiency under the Consumer Protection Act 1986.
12. Explain :
- Inducing breach of subsisting contract as a tort.
 - Tort of intimidation.
13. Write notes on **any two** : (2×3=6)
- Damnum sine injuria.
 - Innuendo.
 - False imprisonment.
14. Write notes on **any two** : (2×2.5=5)
- Extra judicial remedies.
 - Independent contractor.
 - Relevance of motive in tort.

LL.B. (Hons.) Sem. - IV Examination, 2007

LAW OF TORTS

Duration : 3 Hours

Max. Marks : 75

Instructions : 1) Answer **any eight (8) questions from 1 to 12.**
2) **Question Nos. 13 and 14 are compulsory.**

1. "All torts are civil wrongs but all civil wrongs are not torts". Discuss. 8
2. Briefly state the growth of consumerism in relation to the consumer movement in India. 8
3. Discuss with reference to leading cases the nature and scope of the doctrine of contributory negligence. 8
4. Evaluate with the help of various cases the liability of a master for the tortious actions of a servant. 8
5. Discuss the torts of "Assault and Battery" and defences available for defendant, if any, with the help of decided cases. 8
6. "When a person consent to the infliction of some harm upon himself, he has no remedy for that in tort" – Elucidate. 8
7. What is conversion in tort ? Explain various kinds of conversion. 8
8. What is meant by strict liability ? Explain various exceptions to it. 8
9. What is the liability of an occupier of premises towards a lawful visitor and a trespasser ? 8
10. Define nuisance. Explain with case laws, essential ingredients of nuisance. 8
11. Define term Defamation and explain the important defences available in case of tort of defamation. 8
12. Explain the essential ingredients of the tort of malicious prosecution. 8

13. Write short notes on any two :

6

- a) Nervous shock
- b) Absolute liability
- c) Deceit.

Duration : 3 Hours

Instructions : 1) Answer any eight (8) questions from 1 to 12.
2) Question Nos. 13 and 14 are compulsory.

14. Write short notes on any two :

5

- a) Conspiracy
- b) Private defense
- c) Tort by minor.

4. Evaluate with the help of various cases the liability of a master for the tortious

LL.B. (Hons.) (Semester – IV) Examination, April 2007
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

*Instructions: 1) Answer any eight (8) questions from 1 to 12.
 2) Question Nos. 13 and 14 are compulsory.*

- | | |
|---|---|
| 1. Define Tort. Distinguish it from contract and crime. | 8 |
| 2. Who is a consumer ? What are the various rights available to consumer under the Consumer Protection Act ? | 8 |
| 3. Discuss various defences available in an action for tort. | 8 |
| 4. Examine the liability of master for the act of his servant with decided caselaws. | 8 |
| 5. Evaluate the tort of "False Imprisonment" and denfense available for the defendant with the help of decided cases. | 8 |
| 6. Explain the principle of remoteness of damage with the help of decided cases. | 8 |
| 7. State and explain the essentials of negligence. | 8 |
| 8. Examine the rule of strict liability. Enumerate and explain various exception to the rule of strict liability. | 8 |
| 9. Explain : | 8 |
| a) Trespass to land. | |
| b) Trespass to goods. | |
| 10. Define nuisance. Distinguish between private and public nuisance and defences available in a suit for nuisance. | 8 |
| 11. State and explain the essential elements of defamation. | 8 |
| 12. Define term deciet. Explain its essentials with relevant caselaws. | 8 |
| 13. Write short notes on any two : | 6 |
| a) Damnum sine injuria. | |
| b) Liability of joint tort feasors. | |
| c) Malicious prosecution. | |
| 14. Write short notes on any two : | 5 |
| a) Injuria sine damno. | |
| b) Maintenance and champerty. | |
| c) Innuendo. | |

LL.B. (Hons.) (Sem. – IV) Examination, April 2006
LAW OF TORTS

Duration: 3 Hours

Max. Marks: 75

Instructions: 1) Answer any 8 questions from Q. No. 1 to 12.
 2) Question No. 13 and 14 are compulsory.

- | | |
|--|---|
| 1. Define Tort. Explain its main essentials with case law. | 8 |
| 2. Examine the capacity of minor to sue and to be sued in tort. | 8 |
| 3. Evaluate the liability of master for the acts of his servant with decided case law. | 8 |
| 4. What is defamation ? Discuss the defences of defamation in detail. | 8 |
| 5. Explain act of god, private defence and necessity as defences to tortious liability. | 8 |
| 6. Explain strict liability as laid down in <i>Reylands Vs Fletcher</i> . State the differences if any, between strict and absolute liability. | 8 |
| 7. Explain the various remedies available under Law of Torts. | 8 |
| 8. Explain these two: | 8 |
| a) Contributory Negligence. | |
| b) Res Ipsa Loquitor. | |
| 9. What is conversion and state various types of conversions. | 8 |
| 10. Explain these two: | 8 |
| a) Negligent statement. | |
| b) Malicious prosecution. | |
| 11. Examine the various theories of Remoteness of damage with relevant case law. | 8 |
| 12. Examine the definitions for the tort of assault and false imprisonment with case law. | 8 |
| 13. Write short note on any two: | 6 |
| 1) Jurisdiction of consumer courts. | |
| 2) Nervous shock. | |
| 3) Passing off. | |
| 14. Answer any two of the following: | |
| 1) Actio Personalis Moritum cum persona. | 5 |
| 2) Occupier's liability towards trespassers. | |
| 3) Deficiency in service. | |

LAW OF TORTS

Duration : 3 Hours.

Maximum Marks : 75

Instructions :

1. Answer any 8 questions.
 2. Question Nos. 13 and 14 are compulsory.
-
1. Explain the various theories regarding the extent of liability in Tort and justification for tortious liability. 8
 2. How far the principle of Volenti non fit injuria is applicable as an exception to tortious liability. 8
 3. Examine the liability of insolvent corporation and a minor in tort. How far a master is liable for the frauds of his servant and the acts of an independent contractor. 8
 4. What are the essential elements of tort of defamation? Critically evaluate the defenses available to the defendant. 8
 5. Explain with illustrations the tort of conspiracy and intimidation. 8
 6. Examine the extent of duty to take care for the tort of Negligence. 8
 7. How far nervous shock is considered an actionable tort. Explain with illustrations. 8
 8. Examine the principle of strict liability with exceptions. 8
 9. What is nuisance? Distinguish between private nuisance and public nuisance. 8
 10. Examine the tort of conversion and the various types of conversion. 8
 11. Examine the various schemes of insurance under the Motor Vehicles Act. 8
 12. Write short notes on any two : 6
 - a. Discharge of tort.
 - b. Trespass to goods
 - c. Absolute liability
 13. Write short notes on any two : 5
 - a. Assault
 - b. Slander
 - c. Keepers of animals.

LL.B. (Hons) Semester – IV Examination, April 2005
LAW OF TORTS

Duration : 3 Hours

Total Marks : 75

Instructions : 1) Answer any 8 questions from Q. No. 1 to 12.

2) Question Nos. 13 and 14 are compulsory.

- | | |
|--|---|
| 1. Distinguish Tort from Contract, Quasi Contract and Crimes. | 8 |
| 2. Explain the definition of Volenti non fit injuria with exceptions and relevant cases. | 8 |
| 3. Examine the liability of a Corporation and a Trade Union to be sued in Tort. | 8 |
| 4. Evaluate with help of various cases the liability of a master for the tortious actions of a servant. | 8 |
| 5. Examine the various theories of remoteness of damage with the help of decided cases. | 8 |
| 6. Evaluate the tort of False Imprisonment and the defense available for the defendant with the help of decided cases. | 8 |
| 7. Critically evaluate the liability of a person for Negligent Misstatement. | 8 |
| 8. Examine the standard of care that is required of a person under the law of negligence with the help of cases. | 8 |
| 9. What is nuisance ? Distinguish private nuisance with public nuisance. | 8 |
| 10. Examine the rule of strict liability and the various exceptions. | 8 |
| 11. What is conversion in Tort ? Explain the various types of conversions. | 8 |
| 12. Who is consumer ? What are the rights available to a consumer under the Consumer Protection Act ? | 8 |
| 13. Write short notes any two : | 6 |
| a) Inevitable accident | |
| b) Injuria Sine damno | |
| c) Libel and slander | |
| 14. Write short notes on any two : | 5 |
| a) Absolute liability | |
| b) Trespass ab initio | |
| c) Slander of Title. | |

Marks: 37

LL.B. (Hons.) (Semester - IV) Examination, 2002

LAW OF TORTS

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(3)

(3)

Duration: 3 Hours

Total Marks: 75

(3)

Instructions: 1) Answer any 4 questions from amongst Q. No. 1 to 6.2) Question No. 7 is **COMPULSORY**.

(3)

3) Answer any 4 questions from amongst Q. No. 8 to 13.

4) Question No. 14 is **COMPULSORY**.

SECTION I

(12)

1. Explain the maxim Ubi jus ibi remedium as the basis for Winfield's Theory of Law of Tort. 8

2. How far mental element is considered an important ingredient for tortious liability? Explain with illustrations. 8

(12)

3. Examine and evaluate the causing of death as a tort. 8

4. Examine the extent of the liability of the master for acts of the servant, which are not essential part of his employment. 8

5. Distinguish between libel and slander. When is slander actionable per se? Discuss the defences available in an action in defamation. 8

6. Standard of care and breach of duty are the two essentials for the tort of negligence. Explain. 8

7. Write short notes on any TWO: 3×2 = 6

a) Act of state.

b) Remoteness of damage.

c) Distinction between contract and tort.

SECTION II

- | | |
|---|-----------------------------|
| 8. Explain the liability of the occupier of the premises with suitable illustrations. | 8 |
| 9. Trace the development of the principle of absolute liability as an outgrowth of the principle of strict liability. | 8 |
| 10. Explain the tort of conversion and the various types of conversions. | 8 |
| 11. Discuss the principle of remoteness of damage with suitable illustrative cases. | 8 |
| 12. Trace the development of law relating to negligence in cases of nervous shock. | 8 |
| 13. Explain the tort of assault and battery with defences available. | 8 |
| 14. Write short notes on any TWO: | $2 \times 2\frac{1}{2} = 5$ |
| a) Trespass by animals. | |
| b) Public nuisance. | |
| c) Slander of goods. | |

LL.B. (Hons.) Semester - IV Examination, 2002 APRIL
LAW OF TORTS

Duration: 3 Hours

Total Marks: 75

- Instructions:** 1) Answer any 4 questions from amongst Q. No. 1 to 7.
2) Question No. 8 is compulsory.
3) Answer any 4 questions from amongst Q. No. 9 to 13.
4) Question No. 14 is compulsory.

SECTION - I

1. Briefly explain the various definitions of Tort and distinguish tort from crime and breach of contract. 8
2. The accepted defence in tort is Volenti non fit injuria and not scienti non fit injuria. Explain with suitable illustrative cases. 8
3. Discuss how far a minor is liable in tort and what are the rights of a minor under law of tort, with suitable cases. 8
4. To what extent and in what circumstances a master is liable for the acts of independent contractor. Elaborate with illustrative cases. 8
5. Define and explain the tort of false imprisonment. What are the defences available to the defendant? 8
6. Discuss the basis of award of damages and the kinds of damages in law of torts. 8
7. Define the tort of defamation. What are the basic essentials for a tort of defamation? Explain with illustrative cases for each essential. 8
8. Write short notes on any two: 6
 - a) Damnum sine injuria
 - b) Vis major
 - c) Remoteness of damage

SECTION - II

9. Explain the tort of malicious prosecution. What are the defences available to the defendant? Illustrate with cases. 8
10. How far contributory negligence can be used by the defendant to avoid liability or reduce liability? Explain with illustrations. 8
11. Rule of absolute liability is of Indian origin and has interesting history. Explain the principle of absolute liability and how it has evolved in India. 8
12. Explain the tort of conversion and the various kinds of conversions. 8
13. Distinguish and explain with suitable cases: 8
Private nuisance and public nuisance
14. Write short notes on any two: $(2 \times 2 \frac{1}{2} = 5)$
 - a) Res ipsa loquitur
 - b) Scinter rule
 - c) Trespass ab initio

Second LL.B. (Hons.) (Semester - IV) Examination, 2001
LAW OF TORTS

Duration: 3 Hours

Total Marks: 75

- Instructions: 1) Answer any 4 questions from amongst Q. No. 1 to 6.
2) Question No. 7 is compulsory.
3) Answer any 4 questions from amongst Q. No. 8 to 13.
4) Question No. 14 is compulsory.

SECTION - I

- | | |
|--|---|
| 1. A tort is a civil wrong but all civil wrongs are not torts. Comment. | 8 |
| 2. Explain the following general defences to tortious liability: | 8 |
| i) Statutory Authority. | |
| ii) Act of Necessity. | |
| 3. Discuss with the help of leading cases, the liability of the state for tortious acts committed by the servants in the course of employment. | 8 |
| 4. Examine the position of the Minor and Corporation in relation to the Law of Torts. | 8 |
| 5. Discuss both the following: | 8 |
| a) Re Polemis case. | |
| b) Wagon Maund case. | |
| 6. How far is a person's state of mind relevant in determining his tortious liability? Give suitable illustrations. | 8 |
| 7. Write short notes on any two: | 6 |
| a) Injuria sine damno. | |
| b) Effect of death on a subsisting cause of action. | |
| c) Joint Tort Feasors. | |

SECTION - II

- | | |
|--|---|
| 8. What is Strict Liability? State and explain the exceptions to the rule, if any. | 8 |
| 9. Explain Contributory Negligence with relevant cases. | 8 |
| 10. Discuss how trespass to person can be committed. Use suitable cases wherever possible. | 8 |
| 11. "A man's reputation is his property, more valuable than other property". Examine the tort of defamation. | 8 |

12. Distinguish between:

- a) Public and Private Nuisance.
- b) Animals Ferae Naturae and Animals Mansuetae Naturae.

8

13. What is Passing off ? Explain with suitable cases.

8

14. Decide any two of the following problems by giving detailed reasons, principles of law and relevant decided cases if any:

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- a) The plaintiff was going in a public street when a barrel of flour fell upon him from the defendant's warehouse window. Is the defendant liable ?
- b) A number of steam ship companies combined together and drove Z company out of the tea-carrying trade by offering reduced freight. Z company claims damages from the other companies. Will it succeed ?
- c) During a horse race, 'A' a professional photographer was knocked down and injured by a horse owned by 'B' which ran out of the competition arena A wants to sue B. Advise A.

S.Y.LL.B. (Hons.) Examination, 2000
(Semester - IV)
LAW OF TORTS

Duration: 3 Hours

Total Marks: 75

- Instructions:**
- 1) Answer Section I and Section II Separately.
 - 2) Answer any 4 (four) questions from amongst Q. No. 1 to 6.
 - 3) Question No. 7 is compulsory.
 - 4) Answer any 4 (four) questions from amongst Q. No. 8 to 13.
 - 5) Question No. 14 is compulsory.

SECTION - I

1. Define tort and explain the different theories regarding tort. 8
2. Inevitable accident and act of God are effective defenses in tort and so are statutory authorities. Explain. 8
3. Examine the extent of liability of corporations, minors and trade unions to sue and to be sued in tort. 8
4. Explore the liability of the master for the acts of independent contractor and in case of common employment. 8
5. Examine the various methods of determining measure of damages that could be awarded to the plaintiff in a given tort. 8
6. How far false imprisonment is tort. Illustrate with decided cases. 8
7. Short notes. Answer any two: 6
 - a) Slander of goods.
 - b) Right of support.
 - c) Intimidation.

SECTION - II

8. In tort of defamation it is important that the words must be defamatory and it should refer to the plaintiff. 8
9. Liability for the tort of negligence depends upon the standard of care laid down objectively. Discuss. 8
10. The rule of strict liability has matured into concept of absolute liability. Explain with the help of decided cases. 8
11. What is nuisance? Distinguish private nuisance from public nuisance with the help of decided cases. 8

12. Distinguish between trespass and conversion as two different kinds of tort.

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13. Discuss the Bhopal Gas Leak disaster and the legal implications.

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14. Decide any two of the following problems by giving detailed reason, principle of law with the help of decided cases.

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- a) A driver of a vehicle gives a passenger a lift and at the same time, gives him reasonable notice that he rides at his own risk. The vehicle meets with an accident and the plaintiff is injured. He claims damages from the driver. Decide.
- b) During darkness the defendant's cattle strayed into the plaintiff's garden and knocked down the plaintiff. Is the defendant liable ?
- c) A teacher called all the students in his class as Pigs. B one of the students in the class files a suit against A for defamation. Decide.