

Total No. of Questions: 03

Seat No.: **DES SHRI NAVALMAL FIORDIA LAW COLLEGE, PUNE**

LL.B.(Semester-II)

First Year of Three Year Law Course

Torts & Consumer Protection Law [LC 0604]

(2017 Pattern) (Theory) (Revised)

Time: 3 Hours]**[Max. Marks: 80****Instructions to the candidates:**

- 1) All questions are compulsory.
- 2) Figures to the right indicates the full marks.

A] Attempt Any 3 questions from the following :**(15 x 3)**

- Q1) Write a detailed note on persons who can and cannot be sued in Torts?
- Q) Elaborate Vicarious Liability and kinds of Liabilities arising out of the relationship?
- Q3) Explain False Imprisonment citing relevant case laws and discuss remedies available?
- Q4) Discuss Trespass. What are the defences available for tort of trespass?
- Q 5) Write a Brief note on Rights available to consumers under Consumer Protection Act,1986?

B] Attempt Any 2 questions from the following:**(10 x 2)**

- Q6) Elaborate on Private and Public Nuisance ?

(P.T.O.)

Q7) Write a note on No-Fault Liability under Motor Vehicle Act, 1988?

Q8) Explain 'Ubi Jus ibi Remedium'?

Q9) Explain Deceit and Remedies of Deceit?

CJ Write Short Notes :

(05 x 3)

Q 10) Write Any 3 Short Notes.

- a) Negligence.
- b) Vis major (Act of God)
- c) Joint Tortfeasors
- d) Remedies available under Consumer Protection Act, 1988.
- e) Detention and Conversion.

Total No. of Questions: 03

Seat No.:

E- APR 2023



DES SHRI NAVALMAL FIORDIA LAW COLLEGE, PUNE

LL.B.(Semester-II)

First Year of Three Year Law Course

Torts & Consumer Protection Law [LC 0604]

(2017 Pattern) (Theory) (Revised)

Time: 3 Hours]

[Max. Marks: 80

Instructions to the candidates:

- 1) All questions are compulsory.
- 2) Figures to the right indicates the full marks.

A] Attempt Any 3 questions from the following :

(15 x 3)

- Q 1) Write a note on Defamation in Cyber Space?
- Q 2) Explain in detail the General Defences available in an action for Tort with relevant case?
- Q 3) Elaborate on Product Liability and Defences available?
- Q 4) Elaborate on Joint Feasors and Liability that is Joint and several?
- Q 5) Explain the Definition of Service and Deficiency in service under Consumer Protection Act,1986?

B] Attempt Any 2 questions from the following:

(10 x 2)

- Q 6) Explain the origin and development of consumer Laws?
- Q 7) 'Damnum Sine Injuria' Explain with relevant case laws?

(P.T.O.)

Q 8) Explain Liability on Fault basis and No- Fault basis under Motor Accident Act, 1988?

Q 9) Elaborate Authorities under Consumer Protection Act?

C] Write Short Notes :

(05 x 3)

Q 10) Write Any 3 Short Notes.

- a) Novus Actus Interveniens
- b) Conspiracy.
- c) Assault and Battery
- d) Authorities under Consumer Act.
- e) Consumer Dispute

Total No. of Questions : 10]

SEAT No. :

PA-10283

[Total No. of Pages : 4

[5933]-604

F.Y. LL.B. (Semester - II)

(First Year of Three-Years Law Course)

LC 0604 : TORT AND CONSUMER PROTECTION LAW
(2017 Pattern)

Time : 3 Hours]

[Max. Marks : 80

Instructions to the candidates:

- 1) Answer any three questions from Part A. Each question in Part A is for 15 marks.
- 2) Answer any two questions from Part B. Each question in Part B is for 10 marks.
- 3) Answer any 3 questions from Part C. Each question in Part C is for 5 marks.
- 4) Figures to the right indicate full marks.

PART - A

[45]

- Q1) Explain the Meaning and definition of tort. With the help of appropriate judicial pronouncements discuss the Principle of vicarious liability along with exceptions.
- Q2) What do you mean by Defamation? Enumerate the various defences available to an action against defamation.
- Q3) What is Trespass? Explain the provisions relating to trespass to Land along with remedies available to it.
- Q4) Define the definition Consumer dispute. Describe the Composition and jurisdiction of various Redressal agencies under Consumer Protection Act 2019.
- Q5) Damages is the most important remedy which the plaintiff can avail after the tort is committed-Explain.

P.T.O.

PART - B

[20]

- Q6)** Define the nature of tort. Trace out the Development of tort actions in England and India.
- Q7)** Explain the provisions relating Inevitable accident as a General Defence in an action for Tort.
- Q8)** Explain the provisions relating to Battery as a trespass to the person.
- Q9)** Discuss the Powers and jurisdiction of a Motor Accidents Claims Tribunal under the Motor Vehicles Act, 1988.

PART - C

[15]

Q10) Write short Notes on any Three :

- a) Vis major (act of God)
- b) Cyber Defamation
- c) Res ipsa loquitur
- d) Injunction
- e) Passing off



Total No. of Questions: 03

Seat No.:



DES SHRI NAVALMAL FIORDIA LAW COLLEGE, PUNE

LL.B (Semester-II)

First Year of Five Year Law Course

Subject Name & Code – Tort and Consumer Protection Law (LC 0604)
(2017 Pattern) (Theory) (Revised)

Time: 3 Hours]

[Max. Marks: 80

Instructions to the candidates:

- 1) All questions are compulsory.
- 2) Figures to the right indicates the full marks.

A] Attempt Any 3 questions from the following:

(15 x 3)

- 1) "Tort is concerned with the allocation on prevention of losses which are bound to occur in society" Discuss.
- 2) In order to ward off the flow of flood water into his land from a neighboring stream, Rajesh dug up a trench and constructed a bund on his land. As a result of his act, the water inundated Paresh's land and damaged his crops. What remedy, if any, is available to Paresh under Law of Torts? How answer will change if Rajesh's act was guided by malice towards Paresh?
- 3) How does law of Tort deals with Battery and Assault. Explain with the help of remedies available for Tort of Battery and Tort of Assault.
- 4) "In tort of malicious prosecution the plaintiff must prove among other things that the defendant was the person who was actively instrumental in putting the law in force" Discuss.

B] Attempt Any 2 questions from the following:

(10 x 2)

- 5) Remoteness of damages.
- 6) *Sic Utere Tuo Ut Alienum Non Laedas* (everyone must so use his own as not to do damage to another – Ryland v/s Fletcher)

(P.T.O)

7) Defamation under law of Torts.

8) Distinguish between Public Nuisance and Private Nuisance.

C] Write Short Notes :

(05 x 3)

9) Write Any 3 Short Notes.

- a) Unfair Trade Practices.
- b) Rights of Consumers.
- c) Remedies in Tort.
- d) Res Ipsa Loquitur.

E - FEB 2020

Total No. of Questions : 10]

SEAT No. :

P5525

[Total No. of Pages : 2

[5644]204

L.L. B.

**First Year of Three Year Law Course
TORT AND CONSUMER PROTECTION LAW
(2017 Pattern) (Semester - II)**

Time : 3 Hours]

[Max. Marks : 80

Instructions to the candidates :

- 1) Answer any three questions from Part A. Each question in Part A is for 15 marks.
- 2) Answer any two questions from Part B. Each question in Part B is for 10 marks.
- 3) Answer question No. 10 from Part C as directed. The question No.10 is for 15 marks.

PART A

[3 × 15 = 45]

- Q1)** State and explain the principles governing 'Vicarious Liability' with the help of recent judgments.
- Q2)** Define the term 'Defamation'. What are its kinds? Discuss various defences available to the defendant in an action for defamation.
- Q3)** "Tort is a civil wrong other than a breach of contract for which the remedy is a common law action for unliquidated damages". Comment
- Q4)** Define and explain the terms 'Assault' and 'Battery'. What are the defences available in each of these types?
- Q5)** 'The main objective of the Consumer Protection Act, 1986 is to ensure fair, competitive and responsible market that work well for consumer and promote ethical business practices'. Justify the statement with the help of different provisions of the Consumer Protection Act, 1986.

P.T.O.

PART-B

[2 × 10 = 20]

- Q6) Explain the maxim '*Volenti non fit injuria*' along with exceptions.
- Q7) Define the doctrine of *Res ipsa loquitur*. What are the essential conditions for its applicability? Also explain the limitations to this doctrine.
- Q8) Discuss the 'Doctrine of Absolute Liability' with the help of relevant case laws.
- Q9) Explain the terms 'Trespass to Land' and 'Trespass *ab initio*'. What are the remedies available against an action for trespass to land?

PART-C

[3 × 5 = 15]

Q10) Write short note on *any three*

- a) Joint tort-feasors,
- b) Mistake
- c) Consumer
- d) Motor Accidents Claims Tribunal
- e) *Damnum sine Injuria*

JUN 2019

Total No. of Questions : 9]

SEAT No. :

P3327

[Total No. of Pages : 2

[5543]-1013
LL.B. (Semester - II)
(First Year of Three Years Law Course)
LC 0604 : TORT AND CONSUMER PROTECTION LAW
(2017 Pattern)

Time : 3 Hours]

[Max. Marks :80

Instructions to the candidates:

- 1) Answer any two questions from Part A. Each question in Part A is for 20 marks.*
- 2) Answer any two questions from Part B. Each question in Part B is for 15 marks.*
- 3) Answer question No. 9 from Part C as directed. The question No. 9 is for 10 marks.*

PART - A

[2 × 20 = 40]

- Q1)** Discuss the rule of Strict Liability. Is there any exception to this rule?
- Q2)** Explain the Jurisdiction and powers of District Forum & State Commission.
- Q3)** Define and explain Defamation. What are its defences?
- Q4)** What are the various judicial and extra judicial remedies?

PART - B

[2 × 15 = 30]

- Q5)** The State had always defended the claims of private persons in the cases of torts by raising the plea of 'Sovereign immunity'. Discuss
- Q6)** Define 'Tort'. Discuss the main characteristics of tort. Differentiate it from a 'Contract' and 'Crime'.
- Q7)** Define and explain the tort of Assault, Battery and False Imprisonment.
- Q8)** Explain various general defences available in case of tort

P.T.O.

PART - C

[2 × 5 = 10]

Q9) Short Notes (Any Two) :

- a) Cyber Defamation.
- b) Joint tort-feasors.
- c) Deceit.
- d) Passing off.



JAN 2019

Total No. of Questions : 9]

SEAT No. :

P378

[5443]-2004

[Total No. of Pages : 2

I-L.B.B

TORT AND CONSUMER PROTECTION LAW
(2017 Pattern) (Semester-II) (LC 0604)

Time : 3 Hours]

[Max. Marks : 80

Instructions to the candidates:

- 1) Answer any two questions from Part A. Each question in Part A is for 20 marks.
- 2) Answer any two questions from Part B. Each question in Part B is for 15 Marks.
- 3) Answer question No. 9 from Part C as directed. The question No. 9 is for 10 Marks.

PART-A

[2×20=40]

- Q1) Define and explain Defamation. Whether or not truth of the defamatory statement and fair comments can be accepted as a good defence to an action for defamation?
- Q2) Explain the tort of negligence. Support your answer with cases.
- Q3) Explain the jurisdiction and constitution of the State Commission and National Commission under Consumer Protection Act.
- Q4) Explain and differentiate between Strict and Absolute liability.

PART-B

[2×15=30]

- Q5) Distinguish between Private Nuisance and Public Nuisance and explain the remedies available in case of Nuisance.
- Q6) A Tort is a Civil wrong other than a breach of contract for which the remedy is a common law action for unliquidated damages. Explain

P.T.O.

44
28

Q7) Discuss the general defences available in an action of tort.

Q8) Discuss the tort relating to immovable Property.

PART-C

[2×5=10]

Q9) Short Notes (Any Two)

- a) Malicious Prosecution
- b) Damnum Sine Injuria
- c) No-fault liability
- d) Injunction

Total No. of Questions : 9]

SEAT No. :

P5370

[Total No. of Pages : 2

[5336]-204

LL.B. (Semester - II)

First Year of Three Year Law Course

TORT AND CONSUMER PROTECTION LAW

(2017 Pattern)

Time : 3 Hours]

[Max. Marks : 80

Instructions to the candidates:

- 1) Answer any two questions from Part A. Each question in Part A is for 20 marks.
- 2) Answer any two questions from Part B. Each question in Part B is for 15 marks.
- 3) Answer question No. 9 from Part C as directed. The question No. 9 is for 10 marks.

PART - A

[2 × 20 = 40]

Q1) Explain evolution of Absolute liability by the Indian Judiciary.

Q2) Explain Jurisdiction and Constitution of various forums under Consumer Protection Act.

Q3) Explain powers and Jurisdiction of a Motor Accident Claims Tribunal.

Q4) "Alone damage will not do, there must be injury as well as damage" Explain the Statement.

P.T.O.

PART - B

[2 × 15 = 30]

- Q5) Explain the nature of vicarious liability. When a master is liable for the acts of servant?
- Q6) Distinguish between libel and slander. When is slander actionable per se?
- Q7) What is contributory negligence? What are the basic principles that determine the existence of contributory negligence?
- Q8) Discuss the tort relating to incorporeal personal property.

PART - C

[2 × 5 = 10]

Q9) Short Notes (Any Two)

- a) Malfeasance, misfeasance and non-feasance
- b) Deficiency in service
- c) Private Nuisance
- d) Extra-judicial remedies

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