

2018

LAW

(Law of Tort)

Paper No. 1:2

Full Marks : 100

Pass Marks : 40

Time : 3 hours

*The figures in the margin indicate full marks
for the questions*

*Answer six questions, selecting three from each group,
question no.1 and 6 are compulsory*

GROUP – A

1. Write short notes on *any three* of the following: 3x6
 - a) False Imprisonment and Ingredients of false Imprisonment
 - b) Rule of liability in Rylands vs. Fletcher
 - c) Doctrine of Remoteness of damage
 - d) Trespass and defences available for action of trespass
 - e) Ubi Jus ibi remedium

2. Define torts. Explain the difference between Torts and Contract. What are the remedies available for Torts? 6+5+5

3. What is vicarious liability? Explain the principles on which vicarious liability is based. Also describe the liability arising out of special relationships. 5+6+5

4. Write a note on *any two* of the following: 8+8
 - a) Injuria Sine damno and Damnum sine injuria

(Please turn over)

- b) Libel and slander
 - c) Assault and battery
 - d) Public and Private nuisance
5. Describe the composition of the Motor Accidents claims Tribunals and procedure and powers of claims Tribunals. What is the provision for application of Compensation under the Act? 10+6

GROUP – B

6. Write short notes : (*any three*) of the followings: 3x6
- a) Unfair trade practice
 - b) Complaint
 - c) Consumer
 - d) State consumer protection council, its composition and objectives
 - e) Service
7. What are the consumer Disputes Redressal Agencies established under the Consumer Protection Act, 1986? What are the conditions to be fulfilled for the District Forum to have jurisdiction to entertain consumer disputes? Is there any limitation period for the Agencies to admit a complaint? 6+6+4
8. Describe the procedure to be followed by the State Commission in adjudicating a complaint after it is admitted. Where does the appeal of the order made by the state commission lie? Explain the provision thereto. 8+8
9. What reliefs/remedies can be granted by the State Commission? How are the orders of the consumer Dispute Redressal Agencies enforced? 8+8
10. Discuss the statutory provisions dealing with dismissal of frivolous or vexatious complaints and the penalties that can be imposed by the consumer dispute redressal agencies. 16

