

April, 2022

LLB : 1-2/22

2022

(1st Semester)

LAW

Paper No. : 1:2

[Law of Torts (Including Tenure MV Accident
and Consumer Protection Laws)]

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
Half, Question Nos. **1** and **6** are compulsory

FIRST HALF

1. Write short notes on any *three* of the
following : 6×3=18
- (a) Statutory authority
 - (b) Ubi jus ibi remedium
 - (c) Judicial remedies
 - (d) Doctrine of remoteness of damage

2. Define negligence. What are the essentials of negligence? Discuss. 4+12=16
3. Define 'motor vehicle' and briefly discuss the main objects of the Motor Vehicles Act, 1988. State the constitution and jurisdiction of claims tribunal. Explain the procedure and powers of the claims tribunal. 5+5+6=16
4. Distinguish between the following : 6+5+5=16
- (a) False imprisonment and Malicious prosecution
 - (b) Assault and Battery
 - (c) Tort and Breach of trust
5. State the fact and principles laid down in *M/s Kasturi Lal vs. State of UP*, AIR 1965 SC 1039. 16

SECOND HALF

6. Write short notes on any *three* of the following : 6×3=18
- (a) Voluntary Consumer Association
 - (b) Composition of National Commission
 - (c) Appropriate Laboratory
 - (d) Service
 - (e) Consumer

7. Discuss the statutory provisions dealing with dismissal of frivolous or vexatious complaint, and the penalties that can be imposed by the consumer disputes redressal agencies. 10+6=16

8. Discuss the procedure for filing a complaint before the District Forum by a consumer. In such a case, when the District Forum is satisfied with the goods complaint against suffer from any of the defects, write down the various order or directions the District Forum shall issue towards relief. 8+8=16

9. Define goods and services. Distinguish between deficiency and defect. 6+10=16

10. State the facts and principles of law laid down in *Indian Medical Association vs. V.P. Shantha* (1195), 6 SCC 651. 16

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