

2012

/16

LAW

(Torts and Consumer Protection Law)

Course No. 1:2

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

*Answer six questions, selecting three from each group where
question no.1 and 10 are compulsory*

GROUP – A

1. Write short notes on any three of the followings- **(6x3)**
 - a) Contributory negligence
 - b) Malice
 - c) ubi jus ibi remedium
 - d) Act of State
 - e) Trespass to persons

2. What are the conditions which in the general negative liability in tort? Discuss. **(16)**

3. What is Vicarious liability? State the principles on which the doctrine of vicarious liability is based. **(8+8)**

4. Distinguish between any two- **(8+8)**
 - a) Public Nuisance and Private Nuisance
 - b) Erroneous and Malicious prosecution
 - c) Deceit and Fraud

(Please turn over)

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(2)

5. Define and illustrate defamation. Discuss the defences available to the defendant in an action for defamation. (6+10)

GROUP -B

6. Discuss the procedures for filing a complaint before the District Forum by a consumer. How is a complaint adjudicated upon by the District Forum after entertaining it? (6+10)
7. Write an exhaustive note on unfair trade practices as envisaged by the Consumer Protection Act with the help of Apex Court judgment. (16)
8. Discuss the procedures for filing an appeal to the court passed by the District Forum (16)
9. State the facts and principles of law laid down in Santokh Singh -Vs- Divisional Engineer, Telephones, Shillong, AIR, 1990 Gau. 47 (16)
10. Write short notes on any three of the followings- (6x3)
- a) Complainant
 - b) Trader
 - c) Defective goods
 - d) Service
 - e) National Commission
