

2015

LAW

(Torts and Consumer Protection Law)

Paper No. 1:2

Full Marks : 100

Pass Marks : 40

Time : 3 hours

DIMAPUR LIBRARY
Hill View Colony
Dimapur : Nagaland

*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 : (<i>any three</i>) | 3x6 |
| | a) Res ipsa loquitor | |
| | b) Malice in law and malice in fact | |
| | c) Defamation | |
| | d) Maxim of 'ubi jus ibi remedium' laid down in Ashby vs. White (1703) | |
| 2. | Describe the general exceptions to liability in torts | 16 |
| 3. | What is malicious prosecution? Explain the conditions which must be fulfilled for an action for malicious prosecution. | 16 |
| 4. | Explain the rules of strict liability and absolute liability with the help of the leading cases where the rules were laid down. | 16 |

(Please turn over)

5. Explain the following: (*any two*) 8+8
- a) Vicarious liability
 - b) Doctrine of remoteness of damages
 - c) Conditions of liability for negligence

GROUP B

6. Write short notes : (*any three*) 3x6
- a) Consumer
 - b) Complaint
 - c) Defect and deficiency
 - d) Limitation period for filing a complaint
7. What are the different authorities established under the Consumer Protection Act, 1986, for the settlement of consumer disputes, and their jurisdictions? 16
8. Describe the procedure to be followed by the District Forum in adjudicating a complaint after it is admitted. 16
- 9 a) What are the reliefs/remedies granted by the District Forum after the satisfactory adjudication of a consumer dispute? 8
- b) How are the orders of the District Forum, the State Commission, or the National Commission enforced? 8
10. Discuss the statutory provisions dealing with dismissal of frivolous or vexatious complaints, and the penalties that can be imposed by the consumer disputes redressal agencies. 3x6

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