TEST 9 : LAW PAPER II – LAW OF TORTS

TIME ALLOWED: 150 MINUTES	MAXIMUM MARKS : 200 MARKS

Question Paper Specific Instructions

Please read each of the following instructions carefully before attempting questions:

There are EIGHT questions divided in TWO SECTIONS and printed ONLY in *ENGLISH.*

- *Candidate has to attempt* ***THREE*** *questions in all.*
- *Questions no.* ***1 is compulsory*** *and out of the remaining, THREE are to be attempted choosing at least ONE from each section.*
- *The number of marks carried by a question /part is indicated against it.*
- *Answers must be written in the medium authorized in the Admission Certificate which must bestated clearly on the cover of this* ***Question-cum- Answer (QCA)*** *Booklet in the space provided.*
- *No marks will be given for answers written in a medium other than the authorized one.*
- *Word limit in questions, wherever specified, should be adhered to.*
- *Attempts of questions shall be counted in sequential order. Unless struck off, attempt of a questionshall be counted even if attempted partly. Any page or portion of the page left blank in thequestion-cum-Answer Booklet must be clearly struck off.*

VIRTUAL INSTRUCTIONS:

- *Kindly write the answers within the stipulated time. Be honest with yourself.*
- *Upload it in the portal given below as per the instructions shown there.*
- *Once the answer- sheet is uploaded, we will take cognizance of that and the solutions will be mailed personally.*
- *By waiving the right to attempt, you can get the solution right away.*

Q1. Answer the following in about 150 words each : 10x5=50

a) Explain : Injuria sine damno & Damum sine injuria

b) State the elements of false imprisonment and remedies to it.

c) Delineate the differences between strict liability and absolute liability.

d) "In India the law relating to the liability of the state in torts is neither just in its substance, nor satisfactory in its form" Comment.(10m)

e) Explain the ambit of 'complaint"', "unfair trade practice" and how can 'consumer dispute' be redressed the under consumer protection act ,2019. (20 m)

Q2.Answer the following:

a) Define civil conspiracy. Explain the essential elements to constitute civil conspiracy. (20 m)

b) Explain strict liability with exceptions. (15m)

c) Discuss the salient features of consumer protection Act, 2019. (15m)

Q3. Answer the following:

a) The civil liability for defamation to pay damages is not governed by any statute law but is determined with reference to the principles of justice, equity and good conscience. Comment. (15 m)

b) Write a note on nuisance and differentiate it from trespass (15m)

c) Write a critical analysis remedies under law of torts. (20m)

Q4. Answer the following:

a) Explain the following :

   i. Volenti non fit injuria

   ii. Inevitable accident vs Act of god. (20m)

b) Define and Distinguish : Public and Private Nuisance (20m)

c) Write a short note on Malicious prosecution. (10m)