|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Roll No |  |  |  |  |  |  |  |  |  |  |  |  |

****

**Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**SUMMER TERM END TERM EXAMINATION AUGUST 2024**

**Summer Term**: 2024

**Course Code**: LAW125

**Course Name**: Actionable Wrongs and Compensation

**Program & Sem**: BA/BBA/B.Com LL.B.(H)

**Date**: 09-08-2024

**Time**: 9:30AM to 12:30PM

**Max Marks**:100

**Weightage**:60%

**Instructions:**

1. *Read the all questions carefully and answer accordingly.*
2. *Do not write any matter on the question paper other than roll number.*
3. *Any tables/Chart/Graph or data books required, pl. mention here.*

**Part A**

**Answer any 4 questions. Each question carries 5 marks. (4Qx 5M= 20M)**

1. Define defamation and explain its elements.
2. What are the defenses available in cases of actionable wrongs?
3. Discuss the concept of negligence.
4. Elaborate on the rule of strict liability.
5. Define tort and discuss its distinction from crime.
6. Discuss the principle of 'Res ipsa loquitur'.

**Part B**

**Answer any 4 Questions. Each question carries 10 marks.**  **(4Qx 10M= 40M)**

1. Write short notes on: (i) Damnum sine injuria (ii) Injuria sine damnum.
2. Explain the concept of remoteness of damage with reference to the 'Wagon Mound' case.
3. Elaborate on the doctrine of absolute liability as established in the M.C. Mehta case.
4. Explain the defense of mistake and malice in tort law.
5. Discuss the essential conditions of liability in actionable wrongs.
6. Elaborate on the juristic approach to the expressions 'Tort' and 'Torts'.

**Part C**

**Answer any 2 Questions. Each question carries 10 marks. (2Qx20M=40M)**

1. 'A' owns a factory that emits toxic fumes. 'B', who lives nearby, suffers respiratory issues due to these fumes. Discuss the liability of 'A' under the principles of strict and absolute liability.
2. Explain the transition from strict liability to absolute liability in Indian tort law. Discuss the implications of this shift.
3. Examine the principle of vicarious liability in tort law. How has the application of vicarious liability to government actions evolved in India, from the doctrine of sovereign immunity to more recent judgments? Use relevant case law to support your answer.