



# PRESIDENCY UNIVERSITY

BENGALURU

Roll No.														
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## Make - Up Examinations - December 2025

Date: 26- 12-2025

Time: 09:30am - 12:30pm

<b>School:</b> SOL	<b>Program:</b> BALLB/ BBALLB (HONS)	
<b>Course Code:</b> LAW2021	<b>Course Name:</b> Law of Torts including MV Accident and Consumer Protections Laws	
<b>Semester:</b> MK	<b>Max Marks:</b> 100	<b>Weightage:</b> 50%

CO - Levels	C01	C02	C03	C04
Marks	20	25	30	25

### Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Do not write anything on the question paper other than roll number.

### Part A

Answer ALL the Questions. Each question carries 2marks.

10Q x 2M=20M

1	Define the tort of Trespass to Land.	2 Marks	L1	C01
2	Distinguish the law of Torts from Crime.	2 Marks	L1	C01
3	Explain the legal significance of the maxim Injuria sine damnum with reference to the case Ashby v. White.	2 Marks	L1	C01
4	State the rule of Absolute Liability laid down in the case M.C. Mehta v. Union of India.	2 Marks	L1	C01
5	Summarize the concept of 'Defect in Goods' under the Consumer Protection Act, 2019.	2 Marks	L1	C01
6	How does the general defence of 'Act of God' apply in Torts?	2 Marks	L2	C02
7	Identify the main remedies available for the tort of Trespass.	2 Marks	L2	C02
8	List any two consumer rights under the Consumer Protection Act, 2019.	2 Marks	L2	C02
9	What is the jurisdiction of the Motor Accident Claims Tribunal?	2 Marks	L2	C02
10	Explain the concept of 'no-fault liability' under Section 164 of the Motor Vehicles Act.	2 Marks	L2	C02

## Part B

### Answer the Questions

Total 80 Marks

11.	Mr. A suffered an injury after slipping on a poorly lit, wet floor in a shopping mall. Analyze the elements of Negligence and determine the mall's liability based on the principles established in <i>Donoghue v. Stevenson</i> .	10 Marks	L3	CO1
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**OR**

12.	Water escapes from a private reservoir and floods a neighboring property. Analyze the applicability of the rule of Strict Liability established in <i>Rylands v. Fletcher</i> to this scenario, including a discussion of its exceptions.	10 Marks	L3	CO1
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13.	A customer buys an appliance online. The company refuses to replace it despite a clear manufacturing defect. Identify the aims and objectives of the Consumer Protection Act, 2019, and categorize the potential unfair trade practices involved.	10 Marks	L3	CO3
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**OR**

14.	A consumer wants to sue a contractor for poor service. Illustrate the powers and functions of the District Consumer Disputes Redressal Commission regarding this case and the reliefs it can grant.	10 Marks	L3	CO3
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15.	Analyze the elements of the tort of Contributory Negligence and discuss its implications on the damages awarded.	10 Marks	L4	CO4
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**Or**

16.	Critically evaluate the liability of the Insurer for third-party risk under the Motor Vehicles Act, 1988, with reference to the purpose of mandatory insurance.	10 Marks	L4	CO4
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17.	(a) Discuss the grounds of Vicarious Liability with respect to the relationship between a master and servant, citing the principles from <i>State of Rajasthan v. Vidyawati</i> .	7 Marks	L3	CO2
	(b) Analyze the principle of Remoteness of Damage and examine the Reasonable Foresight Test for its determination.	8 Marks		

**Or**

18.	(a)	Examine the concept of Joint Tortfeasors and determine their shared and several liability.	7 Marks	L4	C02
	(b)	A local newspaper falsely publishes that a college student is a drug peddler. Discuss the tort of Defamation and determine the newspaper's liability, citing the principles from D. P. Choudhary v. Manjulata.	8 Marks		

19.	(a)	A family member dies in a road accident caused by the driver's rash driving. Analyze the process of filing a claim petition under Section 166 of the Motor Vehicles Act.	7 Marks	L3	C04
	(b)	Following the same scenario, explain how compensation is determined by Motor Accident Claims Tribunals (MACTs).	8 marks		

**Or**

20.	(a)	A spectator is injured by a crash during a car race. Analyze the general defence of Volenti Non-Fit Injuria in the context of this injury.	7 Marks	L5	C04
	(b)	Discuss the limitations of the Volenti Non-Fit Injuria defence with reference to the car race scenario.	8 marks		

21.	(a)	Evaluate the liability of a private clinic for a patient's death caused by a doctor's careless treatment, considering the principles of medical negligence under the Consumer Protection Act, citing Indian Medical Association v. V.P. Shantha.	10 Marks	L5	C03
	(b)	Critically evaluate the shift from the doctrine of Caveat Emptor to Caveat Venditor under the Consumer Protection Act, 2019.	10 Marks		

**Or**

22.	(a)	Analyze the provisions for filing a plaint for compensation under torts (other than the MV Act) and compare this procedure with a MV accident claim petition.	10 Marks	L4	C03
	(b)	Critically evaluate the E-filing of Consumer Complaints at Consumer Forums of India and assess its role in improving access to justice.	10 Marks		