

Presidency University, Bengaluru
School of Law

5 X 8=40

Comprehensive Examination

I Semester 2015-2016

Law of Torts

BLA103

(Closed Book)

Max Marks: 80 marks

Max Time 3hours

Weightage : 40%

06 January 2016

Instructions to Candidates:

Write legibly, briefly and summarize/highlight the main points

Part A

2 X 10=20

Answer all Questions.

1. Who is a consumer?
2. What is passing off?
3. Mention the composition of district forum.
4. Who is an owner under MV act?
5. What is meant by 'order should be a speaking order'?
6. Who are the legal representatives entitled to compensation under MVA?
7. What is 'just compensation'?
8. What is the object of compulsory insurance?
9. What are the types of defamation?
10. What is vicarious liability?

Part B

5 X 8=40

Answer all Questions.

1. Explain the rule in 'BAKER V BOLTON'.
2. is automobile workshop a 'public place'? Explain.
3. is patient a consumer? Explain.
4. Mention the rights of the consumer under CPA.
5. What is 'dishonor of cheque'? Explain its position under CPA.
6. What is trespass to goods?
7. What is the position of driver driving without license?
8. Differentiate between malice in law and malice in fact.

Part C

2 X 10 =20

Answer Any two of the following

1. How far is causing of death actionable in tort?
2. Explain 'negligence by professionals'.
3. Explain the test of 'reasonable foresight' under remoteness of damage.

NO solutions

Set 1
Conducted on
30/11/2015

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Test 2

Course: **BL A 103 Law of Torts**
(Closed Book)

Max Marks: 50

Max Time 50 Min

Weightage: 25 %

30 November 2015

Instructions to Candidates:

Write legibly, briefly and summarize/highlight the main points

Part A

Marks 5 x 1= 5

- 1) Explain the maxim Injuria sine damno?
- 2) Explain the Rule laid in the case of Donoghue vs Stevensen
- 3) Explain the maxim Volenti non fit injuria
- 4) Explain the doctrine of Res ipsa loquitor
- 5) Write notes on contributory Negligence

Part B

Marks 6 x 5= 30

- 1) Define Defamation? Distinguish between libel and slander?
- 2) Distinguish between public and private nuisance ?
- 3) Define Negligence ? Explain the the essentials of Negligence ?
- 4) Explain the various kinds of Remedies available under law of Torts

Part C

Marks 15 x 1= 15

- 1) Explain the rule of strict liability and Absolute liability in India ?
- 2) Define Torts ? Explain Whether it is Law of Torts or Tort ?

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I Semester 2015-2016

Test 2

Course: **BL A 103 Law of Torts**

(Closed Book)

Max Marks: 50

Max Time 50 Min

Weightage: 25%

30 November 2015

Instructions to Candidates:Write legibly, briefly and summarize/highlight the main points

Part A**Marks 5 x 2 = 10**

1) Define tortious liability?

a) Meaning of the maxim

01 marks

b) Case laws

01 marks

2) Mention the Kinds of nuisance?

a) Define Nuisance

01 marks

b) Explain the kinds of nuisance

01 marks

3) What is Vicarious Liability?

a) Meaning of vicarious liability

01 marks

b) Examples of vicarious liability

01 marks

4) What is meant by Tresspass?

a) Meaning

01 marks

b) Examples of Tresspass

01 marks

5) What is malice in law?

a) Meaning

01 marks

b) case laws

01 marks

Part B

Marks 4*5 = 20

1) What is Inevitable accident and inevitable Mistake?

- | | |
|-----------------------------------|----------|
| a) Meaning of Inevitable accident | 02 marks |
| b) Meaning of Inevitable Mistake | 02 marks |
| c) case laws | 01 marks |

2) Distinguish between Tort from a crime ?

- | | |
|---------------------------------------|----------|
| a) Definition of Tort | 02 marks |
| b) Distinction between Tort and Crime | 02 marks |
| c) case laws | 01 marks |

3) Explain Assault and battery ?

- | | |
|--------------------------|----------|
| a) Definition of Assault | 02 marks |
| b) Meaning of battery | 02 marks |
| c) case laws | 01 marks |

4) What is malicious prosecution/ explain?

- | | |
|-------------------------------------|----------|
| a) Meaning of Malicious prosecution | 02 marks |
| b) Case laws | 03 marks |

Part C

Marks 10 x 2= 20

1) Give the common examples of Vicarious liability and explain ?

a) Explain Vicarious liability 03 marks

b) Examples of vicarious liability 03 marks

c) conclusion and case laws 04 marks

2) Discuss the application of law of tort in England and in India ?

a) essential conditions for the application of the Rule 04 marks

b) Exceptions 02 marks

c) Position in india with case laws 04 marks

b) Explain the kinds of nuisance

3) What is Vicarious Liability?

a) Meaning of vicarious liability
b) Examples of vicarious liability

What is the law of tort?

a) Meaning
b) Examples of torts

4) What is the law of tort?

a) Meaning
b) Examples

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Test 1

Course: **BL A103 Law of Torts** (Closed Book)

Max Marks: 45

Max Time 50 Min

Weightage: 15 %

28 September 2015

Instructions to Candidates:

1. Write legibly, briefly and summarize/highlight the main points
 2. Attempt all the questions serially, in the order of question paper
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Ques 1: Answer the following in short

[5Qx 1 M= 5M]

- a. Define Tort?
- b. Define the maxim injuria sine Damno?
- c. Define the maxim Damnum Sine Injuria?
- d. Define Malice in Law?
- e. Define Malice in fact?

Ques 2: Answer the following in short

[6Q x 5M= 30M]

1. Distinguish Between Tort & breach of contract?
2. Distinguish Between Tort and Crime?
3. Distinguish between Tort and Breach of Trust?
4. Discuss the Rule in Donoughe V/s Stevenson?
5. Discuss the Rule in Ashby V/s White?
6. Discuss the Rule in Haynes V/s, Harwood?

Ques 3: Define Vicarious Liability and explain the conditions in which such liability arises?

[10M]