



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2023**

Semester : Semester I - 2022

Course Code : LAW2042

Course Name : Sem I - LAW2042 - Law of Torts, Consumer Protection Act and MV Act

Program : LLB (All)

Date : 10-JAN-2023

Time : 1.00PM - 4.00PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.

PART A

ANSWER ALL THE FOLLOWING QUESTIONS

10 X 2 = 20M

1. What are the Constituents of Tort Law?
(CO1) [Knowledge]
2. Define Torts.
(CO1) [Knowledge]
3. What are the exceptions to the rule of Strict Liability?
(CO2) [Knowledge]
4. What does Respondant superior mean?
(CO2) [Knowledge]
5. State one difference between Contributory and Composite Negligence.
(CO3) [Knowledge]
6. Res Ipsa Loquitur means _____ .
(CO3) [Knowledge]
7. State two difference between Trespass to Land and Nuisance
(CO4) [Knowledge]
8. Define Malicious Prosecution.
(CO4) [Knowledge]
9. Who can make a complaint under this Act?
(CO5) [Knowledge]
10. What Consumers Right is guaranteed under Consumer Protection Act, 2019?
(CO5) [Knowledge]

PART B

ANSWER ALL THE FOLLOWING QUESTIONS

4 X 10 = 40M

11. Is the concept of 'Absolute Liability' new? How is it different from Strict liability.
(CO2) [Comprehension]
12. " It is too far sweeping proposition to say that when it has been once determined that there is evidence of negligence, the person guilty of it is equally liable for it whether he could have foreseen it or not". Comment.
(CO3) [Comprehension]
13. Enumerate the defenses to an action for defamation.
(CO4) [Comprehension]
14. Discuss salient features of Motor Vehicle act.
(CO5) [Comprehension]

PART C

ANSWER ALL THE FOLLOWING QUESTIONS

2 X 20 = 40M

15. Would you as judge award damages in : Hasmuk told by way of practical joke Mrs. Bharuk that her husband had met with an accident and his both legs are amputated and he is lying unconscious in the hospital. On hearing Mrs. Bhavuk suffered mild heart attack and had to be treated for a longer period. is Hasmukh liable?
(CO3) [Application]
16. A portion of a bridge, generally used as footway, was appropriated for seats to witness a boat race. The Plaintiff insisted upon passing along the portion so appropriated and attempted to climb over the enclosure. The defendant pulled him back but the plaintiff succeeded in climbing over. The policemen deputed by defendant, to prevent him passing onwards in the direction and asked to go back into the carriage way and proceed to other side of the bridge if he pleased. He refused to go and remained where he was obstructed about half an hour. Analyze the facts of the case and with the help of case law explain the remedies available to the plaintiff.
(CO4) [Application]
