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** Presidency University**

**Bengaluru**

**SCHOOL OF LAW**

**MAKEUP EXAMINATION- JAN 2023**

**Course Code**: LAW106/LAW2021

**Course Name**: LAW OF TORTS AND MV ACT

**Program**:BALLB(Hons.)/BBALLB(Hons.)/BCOMLLB(Hons.)

**Date**: 20-JAN-2023

**Time**: 01.00 PM – 04.00 PM

**Max Marks**: 100

**Weightage**: 50%

**Instructions:**

1. *Read the question properly and answer accordingly.*

**Part A (Memory Recall Questions)**

**Answer any ten questions. Each question carries TWO mark. (10Qx2M=20M)**

**1.**  What is liquidated damages? **(C.O.No.1) [Knowledge level]**

2. Define tort. **(C.O.No.1) [Knowledge level]**

3. What is Nervous shock? **(C.O.No.3) [Knowledge level]**

4. What is Contributory Negligence? **(C.O.No.4) [Knowledge level]**

5. What is No-fault liability’ **(C.O.No.3) [Knowledge level]**

6. What is Strict liability? **(C.O.No.4) [Knowledge level]**

7. What is Innenundo? **(C.O.No.3) [Knowledge level]**

8. What is Libel and Slander? **(C.O.No.2) [Knowledge level]**

9. Difference between Tort and Crime. **(C.O.No.1) [Knowledge level]**

10. Difference between Tort and Contract. **(C.O.No.1) [Knowledge level]**

**Part B (Thought Provoking Questions)**

**Answer any four questions. Each question carries TEN marks. (4Qx10M=40M)**

21. Explain the essential constituents of Tort? **(C.O.No.1) [Comprehension level]**

22. Explain the maxims ‘damnum sine injuria’ and ‘injuria sine damnum’ with the help of relevant case law and or suitable illustrations. **(C.O.No.2) [Comprehension level]**

23. What is ‘Pigeon Hole Theory’? Explain in the light of Salmond’s Theory. **(C.O.No.1) [Comprehension level]**

24. What is ‘Volenti non fit injuria’? Discuss with the support of relevant case Law. Distinguish between Voluntary non fit injuria and contributory negligence. **(C.O.No.2) [Comprehension level]**

**Part C (Problem Solving Questions)**

**Answer any four questions. The question carries TWENTY marks. (2Qx20M=40M)**

25. What is the principle of vicarious liability? Discuss the essential ingredients of vicarious liability. **(C.O.No.3)**  [**Application level]**

26. Describe the Salient features of the Motor Vehicle Act, 1988 with the suitable examples. **(C.O.No.5)**  [**Application level]**