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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.)/BCO
MLLB(Hons.)

Date: 20-JAN-2023

Time: 01.00 PM – 04.00 PM

Max Marks: 100

Weightage: 50%

Instructions:

(i) 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]