

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

SET B

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2024**

Semester : Semester I - 2023

Course Code : LAW2121

Course Name : Law of Tort including MV Accident and Consumer Protection Laws

Program : BBA LLB Honors

Date : 17-JAN-2024

Time : 1:00 PM - 4:00 PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 1 part.
- (iii) Scientific and non-programmable calculator are permitted.
- (iv) Do not write any information on the question paper other than Roll Number.

ANSWER ALL THE QUESTIONS

10 X 10M = 100M

1. Theoretically, the consequence of any conduct may be endless but no defendant is responsible ad infinitum for all the consequences of his wrongful conduct. Comment and discuss the development of law relating to remoteness of damages with the help of leading cases.
(CO3,CO2,CO1) [Comprehension]
2. How the conspiracy in torts is different from criminal conspiracy? Explain with the help of legal provisions, if applicable.
(CO2,CO1) [Comprehension]
3. What do you mean by contributory negligence. Explain this concept in the light of case laws.
(CO3,CO4) [Comprehension]
4. Explain the following terms under trespass along with the cases, if applicable.
A) Detinue
B) Conversion
(CO4,CO3,CO2) [Comprehension]
5. Explain all the three consumer disputes redressal commissions of Consumer Protection Act in detail.
(CO3,CO2) [Comprehension]
6. The defendant began to manufacture paper boxes in the cellar of a house, the upper part of which was in the occupation of the plaintiff. The defendant's business required hot and dry air and he heated the cellar accordingly. This raised the temperature on the plaintiff's floor and dried and diminished the value of brown paper which the plaintiff warehoused there. Decide the liability of defendant.
(CO3,CO4) [Application]

7. Sapna went to a surgeon for operation to remove stone from her kidney. The surgeon Dr. X performed the operation but left a gauze piece in the abdominal cavity during operation. Peritonitis developed which led to a second surgery being performed on her. She sues Dr. X for negligence. Dr. X takes the plea of volenti non fit injuria. Decide, giving reasons.

(CO5,CO4) [Application]

8. A and B resides on adjacent farms. B kept several beehives. One day, B for removing honey, smoked the hives without warning A, who was tackling his horse. The Bees, irritated by the smoking operation, swarmed upon A and his horse. The horse dragged A and threw him, causing him severe injuries. Decide, whether the strict liability is applicable or not, in above mentioned facts.

(CO2,CO3,CO1) [Application]

9. A informed the police that in the dacoity committed in B's house, he has a reason to believe that his neighbour C was involved. C is arrested by the police. Subsequently C is released by the magistrate. C files an action for malicious prosecution. Whether C will succeed or not? Decide.

(CO4,CO3) [Application]

10. Y, a former employer, in reply to an enquiry by the person who is going to employ the servant Z, opines: "Z hardly works." Z files a suit against Y claiming damages for defamation. How will you, as a judge, decide the case?

(CO4,CO5) [Application]