



ID NO.	
---------------	--

PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW

Weightage: 40 % Max Marks: 40 Max Time: 3hrs. 09 May 2018, Wednesday

ENDTERM FINAL EXAMINATION MAY 2018

Even Semester 2017-18 Course: LAW106(LAW of TORTS and MV ACT) II Sem. Law

Instructions:

- (i) Read the question properly and answer accordingly.
 - (ii) Question paper consists of 3 parts.
-

Part A

(4Q = 15 Marks)

1. In the light of the facts of Ryland vs. Fletcher explain the rule of Strict Liability and its exceptions. (6 M)

2. A motorcycle was hit from behind by a speeding bus as a result of which the person driving the motorcycle died and another person on the motorcycle was injured. The deceased was also driving the motorcycle at a high speed. Decide on whom the liability will fall. Give reason for your answer. (3 M)

3. State difference between Nuisance and Trespass. (3 M)

4. What is Tort of Deceit? (3 M)

Part B

(3Q = 15 Marks)

5. A conductor of an omnibus drove the omnibus with the permission of the driver who was sitting beside him for the purpose of turning it in the right direction for the next journey and in that process by his negligence the vehicle mounted a foot pavement and injured a person. Decide who will be liable for the tort committed. Also give reason for your answer. (3 M)
-
6. Explain Form and Contents of Licences to drive under Motor Vehicle Act, 1988. (3 M)
-
7. "The law should take cognizance only of physical injury resulting from actual impact has been discarded, and it is now well recognized that an action will lie for injury by shock sustained through the medium of the eye or the ear, without direct contact". In the light of this statement and relevant case law explain the tort of Nervous Shock. (9 M)

Part C

(2Q = 10 Marks)

8. What is Absolute Privileges under tort of Defamation? (4 M)
9. Explain in detail along with case laws the essentials of tort of Malicious Prosecution. (6 M)



ID NO:

PRESIDENCY UNIVERSITY, BENGALURU
SCHOOL OF LAW

Weightage: 30 %

Max Marks: 30

Max Time: 2 HRS.

6 March Tuesday 2018

MID TERM EXAMINATION

SET A

Even Semester 2017-18 Course: **LAW106 LAW OF TORTS and MV ACT II Sem. MBA**

Instruction:

- (i) Read the question properly and answer accordingly.
 - (ii) Question paper consists of 3 parts.
-

Part A

(4Q = 12 Marks)

1. Explain the definition of tort given by Salmond. (2 marks)
2. "Just as Criminal Law consists of a body of rules establishing specific offences, so the law of torts consists of a body of rules establishing specific injuries. Neither in one case nor in the other is there any general principle of liability." Salmond. Explain the above statement in the light of Pigeon Hole theory. (4 marks)
3. "If the plaintiff's right is infringed and there is no proof of actual damage, still he is entitled to a decree without any monetary damages." Explain the above statement in the light of relevant case laws. (4 marks)
4. What is Egg Shell Skull theory? (2 marks)

Part B

(2Q = 10 Marks)

5. "A" sent a telegram to B for the shipment of certain goods. The telegraph company mistaking the registered address of "C" for that of "B" delivered the telegram to "C". "C" acting on the telegram sent the goods to "A". But "A" refused to accept the goods of "C" stating that he had ordered it from "B" and not from "C". "C" sued the telegraph company for the damages for loss suffered by him. Discuss with the help of relevant case laws whether "C" will succeed in his claim or not. Also give reason for the answer. (4 marks)
6. Discuss the difference between Tort and Crime. (6 marks)

Part C

(2Q x 4M = 8 Marks)

7. Explain with the help of relevant case laws Statutory Authority as a General Defense.
8. Explain the test of reasonable foreseeability with the help of relevant case laws.

Instruction

- (i) Read the question carefully and answer accordingly.
- (ii) Answer requirements of 4 marks.

Part A

(2Q x 4M = 8M)

1. Explain the doctrine of Statutory Authority.
2. "I am limited in respect of a body of law containing specific offences so that I can only establish a body of law containing specific offences. Hence in one case law it was held that any general principle of law is not applicable in such cases." Explain in the light of Pigeon Hole theory.
3. If the plaintiff's right is extinguished and there is no proof of actual damage, will he be entitled to a decree without any monetary damages? Explain the above statement in the light of relevant case laws.
4. What is the effect of the doctrine of Pigeon Hole theory?

Part B

(2Q x 4M = 8M)

1. A person is liable for the tort of negligence if he is negligent. The tort of negligence is a tort which is committed by a person who is negligent. The tort of negligence is a tort which is committed by a person who is negligent. The tort of negligence is a tort which is committed by a person who is negligent.
2. The tort of negligence is a tort which is committed by a person who is negligent. The tort of negligence is a tort which is committed by a person who is negligent. The tort of negligence is a tort which is committed by a person who is negligent.