

FACULTY OF LAW

B.A. LL.B. (5 YDC) I -Year II--Semester Examination, August / September 2018

Subject: L A W

Paper – IV : Law of Torts

Time : 3 Hours

Max. Marks : 80

PART – A (5x6=30 Marks)

Answer any FIVE of the following:

- 1 Public Nuisance
- 2 Extra – Judicial Remedies
- 3 Death in tortious liability
- 4 Kinds of damages
- 5 Restitution of property
- 6 Accident
- 7 Damnum Sine Injuria
- 8 Sovereign function

PART – B (2x15 = 30 Marks)

Answer any TWO of the following questions:

- 9 Discuss the general principles of Liability in tort.
- 10 Define the general defences available in tort.
- 11 What are the essential Ingredients of establishing a tort of Negligence?
- 12 When the liability in tort is closed?

PART – C (2x10 = 20 Marks)

Answer any TWO of the following questions:

- 13 The defendant in good faith published a mistaken statement that the plaintiff had given birth to twins. In fact the plaintiff had married only two months back about which the defendant was ignorant. The plaintiff filed a case on the defendant for defamation. The defendant took the defence of mistake of fact. Is he eligible to get the defence? Discuss.
- 14 A sixteen year old girl was killed due to motor accident caused by the defendant. Her parents sued the defendants and claimed damages for loss of their daughters life and consequential pecuniary loss as she was working as an apprentice dress-maker at the time of the accident. Are the defendant Liable?
- 15 A tree growing on defendant's land was overhanging the highway and in a fine weather it suddenly broke and fell upon plaintiff's vehicle which was passing along the highway. The breaking of the branch was sudden and not anticipated. Is this case covered under the rule of Rylands vs. Fletcher rule?
- 16 The Government allowed a clerk to drive a jeep in special circumstances. At the time of the accident some other person was driving the jeep with the permission of the clerk. Can the Government be held responsible under vicarious liability?

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