



'समानो मन्त्रः समितिः समानी'

UNIVERSITY OF NORTH BENGAL

B.A./BBA/B.Com. LL.B. Honours 1st Semester Examination, 2021

**LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENTS AND
CONSUMER PROTECTION LAWS**

PAPER CODE: CC02/FC02

Time Allotted: 3 Hours

Full Marks: 100

The figures in the margin indicate full marks.

The students are advised to follow the word limit mentioned below strictly while answering questions.

The marks will be deducted if answers exceed word limit.

16-20 marks- 400 words / 10-15 marks- 300 words / 6-9 marks- 200 words / 2-5 marks- 100 words

Answer Question No. 7 and any four questions from the rest

1. What is the meaning of Tort? What is the meaning of Unliquidated Damages? 5+10+5=20
Distinguish the difference between Tort and Contract.
2. Nila has a house and a flourmill besides her house makes constant noise throughout the day. Does Nila have any remedy against such noise? Elucidate with proper case studies. 20
3. (a) Discuss the concept of vicarious liability between Master and Servant. 14
(b) Discuss vicarious liability of partners. 6
4. Faruk went to a Doctor for treatment and the Doctor without seeing him personally and listening to his problems, prescribed medicines, consuming which he fell sick and suffered injury. Can the Doctor be held liable? Support your answer with proper case laws and illustrations. 20
5. Discuss the following Torts with relevant illustrations: 10+10 = 20
(a) Assault and Battery
(b) False imprisonment.
6. (a) What are the aims and objective of the Consumer Protection Act, 1986? 5+5+5+5 = 20

- (b) What is the meaning of 'motor vehicle' under the Motor Vehicles Act, 1988?
- (c) How many Consumer Disputes Redressal Agencies have been established under the Consumer Protection Act, 1986? Briefly describe.
- (d) What is the meaning of *No Fault Liability* under the Motor Vehicles Act, 1988?

7. Answer any **four** short notes from the following:

5×4

- (a) Defamation
- (b) Absolute liability
- (c) Volenti non-fit injuria
- (d) Damnum sine injuria
- (e) Remoteness of Damage
- (f) Malicious prosecution.

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