



‘समानो मन्त्रः समितिः समानी’

UNIVERSITY OF NORTH BENGAL

LL.B. (3 yr.) 1st Semester Examination, 2022

**LAW OF TORTS INCLUDING M.V. ACCIDENTS & CONSUMER PROTECTION
LAWS**

PAPER CODE: CC03

Time Allotted: 3 Hours

Full Marks: 100

*The questions are of equal value
The figures in the margin indicate full marks.*

Answer Question No. 7 and any four from the rest

1. (a) What do you mean by Tort? 4
(b) “Tort is a civil wrong which is redressible by an action for unliquidated damages and which is other than a mere breach of Contract or Trust”. 10
— In the light of above statement explain the essential elements of Torts.
(c) Differentiate tort with breach of Contract and breach of Trust. 6
2. (a) Explain the concept of Volenti non fit Injuria with relevant case laws. 10
(b) What are the exceptions to Volenti non-fit injuria? 4
(c) Who are the persons incapable to sue for torts? 6
3. (a) Mrs. Natasha (widow) owned two cottages, wanted to sell the same. Therefore she consulted a firm of solicitors. The Managing Clerk of the firm acted as representative of the firm of solicitors, induced her to convey property and asked her to sign two sale deeds. Consequently it was gift deed in favour of Managing clerk and after that he sold the property of Mrs. Natasha without giving her any thing. 10
In the given case will the Principal be held liable vicariously for the action of the agent? Support your answer with reason.
(b) Explain the following concepts: 10
(i) False Imprisonment
(ii) Malicious Prosecution.
4. (a) What do you mean by Sovereign Immunity? 4
(b) Explain the applicability of the doctrine of sovereign immunity in India in Pre and Post Constitutional Era with the help of relevant case laws. 10
(c) Write a brief note of Res-Ipsa Loquitur. 6

5. (a) Define nuisance. Discuss kinds of nuisance. 8
(b) Explain the essential elements of Defamation. 6
(c) Elucidate the Defences available against Defamation. 6
6. (a) Define Consumer. Explain the rights of Consumer. 8
(b) Elucidate the compositions, power and functions of Central Consumer Protection Authority. 12
7. Write Short Notes on : (Any *four*) 5×4 = 20
(a) Damnum Sine Injuria
(b) Battery
(c) Non fault liability
(d) Third Party Insurance
(e) Contributory Negligence
(f) Act of God.

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