

FIRST YEAR B.B.A./LL.B.  
(HONS.) (FIVE YEAR  
INTEGRATED COURSE)  
SEMESTER - I  
EXAMINATION SECOND  
HALF, 2016

SEM - I

Law of Torts (Consumer  
Protection Act & Motor  
Vehicle Act.)

Wednesday, January 25, 2017

03:00 p.m. to  
5:30 p.m.

313700

ks :75

- N.B. :** (1) All questions are **compulsory**.  
(2) Cite **case-laws** wherever **necessary**.

1. Answer in short (not more than **two** sentences):- 10
- (a) State any two objects of the Consumer Protection Act, 1986.
  - (b) What is meant by 'Innuendo'?
  - (c) Define 'Manufacturer' under Consumer Protection Act, 1986.
  - (d) What does 'Ubi jus ibi remedium' means?
  - (e) Define 'Torts'.
2. Write short notes (any **three**):- 15
- (a) 'Consumer' under Consumer Protection Act, 1986.
  - (b) Difference between Libel and Slander
  - (c) District Consumer Protection Council
  - (d) Wagon Mound's case
  - (e) Negligence
3. Situational Questions (Solve any **two**):- 20
- (a) 'A', managing clerk of lawyers firm, fraudulently got client 'B' to sign some documents executing the sale of her properties to him. 'A' made her to believe that she signed her Will. After realising the fraud, B sued lawyer's firm which pleaded ignorance of 'A's fraud.
    - (i) Who is liable in this case? Give reasons.
    - (ii) Is 'vicarious liability' applicable in this case? Explain.
  - (b) A child of 7 years throws a stone and breaks the window of a BMW car.
    - (i) Is the child liable in Torts? Give reasons.
    - (ii) Are the parents of the child liable? Give reasons.
  - (c) 'A' was a firm of chocolate manufacturer. 'B' was an amateur Golf champion. 'A' published a caricature of 'B' with a pocket of their chocolate protruding from his pocket, as an advertisement of their goods, without the consent of 'B'.
    - (i) Can 'B' sue 'A'? Give reasons.
    - (ii) What wrong, if any, committed by 'A'? Explain.

[Turn Over

## 4. Answer the following (any three):-

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- (a) What is the rationale of Strict Liability and Absolute Liability? Explain with the help of case laws.
- (b) Explain the three tier system of Consumer Redressal Agencies under the Consumer Protection Act, 1986.
- (c) Discuss 'Damnum Sine Injuria' and 'Injuria Sine Damno', citing relevant case laws.
- (d) What are the General Defences available in an action of Torts?
- (e) Discuss various kind of damages awarded under Law of Torts with relevant case laws.