

End Semester/Reappear (Semester I) Examination December, 2024
Programme: BALLB
Course: Law of Torts including CPA and Motor Vehicles
Course Code: 24F.106
Enrolment no. _____
Full Marks: 70
Time: 3 Hrs.

| Q.No. | Questions | CO | Bloom Taxonomy Category | Marks |
|------------------------------------|---|-----|-------------------------|--------------------|
| Section I | | | | |
| 1 | Short Answer type questions. | | | 4 x 5 = 20 |
| a | Develop a hypothetical case study that illustrates a tort and propose potential legal outcomes. | CO1 | Understand | |
| | or | | | |
| b | Distinguish between Tort and Crime. | CO1 | Remember | |
| | or | | | |
| c | A fails to save a drowning child. Has A committed any tort? Decide. | CO2 | Remember | |
| | or | | | |
| d | Explain the principle of res ipsa loquitur and its role in tort law. | CO2 | Understand | |
| | or | | | |
| | Discuss difference between servant and independent contractor. | CO3 | Understand | |
| | or | | | |
| | Defamation vs Freedom of Speech. Comment. | CO3 | Remember | |
| | or | | | |
| | What principle was laid down in Rylands vs. Fletcher case? Comment. | CO4 | Understand | |
| | or | | | |
| | Define goods & consumer. | CO4 | Remember | |
| Section II | | | | |
| Long Answer type questions. | | | | |
| 2 | Differentiate between Tort vs Torts. | CO1 | Remember | 3 x 10 = 30 |
| | or | | | |
| 3 | A 'walks across' B's garden without B's permission, doing no damage to the garden. Has he committed any wrongful act? Decide. | CO1 | Understand | |
| | or | | | |
| 4 | Discuss essentials of false imprisonment with relevant case laws. | CO3 | Understand | |
| | or | | | |
| 5 | The Plaintiff resided in a house next to a Roman Catholic Chapel of which the defendant was the Priest and the Chapel bell was ringing very loud at all hours of the day and night. Discuss the case. | CO3 | Remember | |
| | or | | | |
| 6 | Explain vicarious liability and its essentials. | CO5 | Remember | |
| | or | | | |
| | What do you understand by sovereign immunity? | CO5 | Remember | |
| Section III | | | | |
| Application based questions | | | | |
| 7 | Define malicious prosecution, its essentials and state the difference between malicious prosecution and false imprisonment. | CO2 | Apply | 1 x 20 = 20 |
| | or | | | |
| | X' is residing in the first floor of a building. Y, intends to start a flour mill on the ground floor of the same building. This would cause nuisance to, X, Advise what action he can take? | CO2 | Apply | |

On the completion of the course, the students will be able to:

CO 1: make students comprehend in detail the concept of civil wrong differentiating from contractual liability and the difference between tort and crime, and tort and equitable obligations.

CO 2: make students know the theory, origin, development, nature and philosophy of the evolution of torts in the common legal system and its impact on the modern world.

CO 3: make students grasp exhaustively general defences, principles of liability, torts against person, torts against property, specific torts and others

CO 4: make students analyze the important judgments laying down the foundations for the principles and doctrines developed under law of torts.

CO 5: make students study the important provisions of Motor Vehicles Act, 1988 and Motor Vehicles (Amendment) Act, 2019