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**BRAINWARE UNIVERSITY**

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Term End Examination 2025-2026**Programme – LL.B.-2022/LL.B.-2023/LL.B.-2024/LL.B.-2025****Course Name – Law of Torts Including Consumer Protection Act & Motor Vehicles Act/Law of Torts including CP & MV Act****Course Code - LLB103****(Semester I)****Full Marks : 60****Time : 2:30 Hours**

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

(i) Who can file a case under the law of torts?

- a) Only government
- c) Only business organizations

- b) Any individual whose legal right is violated
- d) Only the police

(ii) What is the nature of law of tort?

- a) Criminal in nature
- c) Civil in nature

- b) Constitutional in nature
- d) Administrative in nature

(iii) Which element signifies the mental intention behind the act?

- a) Mens rea
- c) Malice

- b) Actus reus
- d) Duty of care

(iv) Who propounded the Pigeonhole Theory in tort law?

- a) Austin
- c) Salmond

- b) Winfield
- d) Dicey

(v) What is meant by several tortfeasors?

- a) Two or more people jointly responsible for same tort
- c) People committing torts at different times

- b) Persons acting jointly in committing a tort
- d) Persons acting for employer

(vi) Which of the following is an example of malfeasance?

- a) A doctor performs surgery while intoxicated
- c) An engineer uses substandard materials knowingly

- b) A teacher forgets to mark attendance
- d) An officer forgets to report for duty

(vii) What are general damages?

- a) Damages not quantifiable in money terms
- c) Fixed by statute

- b) Damages proved with specific evidence
- d) Pre-decided compensation

(viii) Choose from the following the aim of Exemplary damages:

- a) Provide medical costs
 b) Punish the defendant
 c) Recover lost property
 d) Discourage similar acts
- (ix) What is the meaning of Distress Damage Feasant?
 a) Seizing goods by police
 b) Seizing personal goods for unpaid rent
 c) Right to detain trespassing cattle causing damage
 d) Court-issued seizure
- (x) Outline who can file a suit for defamation:
 a) Any third party
 b) Only the victim
 c) Police
 d) Media only
- (xi) Outline requirement for defamation:
 a) Communication to the plaintiff
 b) False and defamatory statement
 c) Truth without harm
 d) Intent to harm
- (xii) Outline what Mayhem includes:
 a) Spreading rumors
 b) Loss of income
 c) Disfigurement or loss of limb
 d) Calling names
- (xiii) Select from the following, The Bhopal Gas Tragedy led to the evolution of which principle:
 a) Strict liability
 b) Absolute liability
 c) Negligence
 d) Negligence per se
- (xiv) Identify from the following the Nervous shock refers to:
 a) Shock caused by witnessing an accident
 b) Injury to mind and body
 c) Mere emotional response
 d) Fear of imprisonment
- (xv) Choose from the following the doctrine of common employment protects:
 a) The master
 b) The servant
 c) The public
 d) The judiciary

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Define tort law and explain its objectives. (3)
 3. Explain the principles of vicarious liability in tort law. (3)
 4. Explain the defenses available in defamation cases. (3)
 5. Interpret strict and absolute liability in tort law. (3)
 6. Evaluate the functions of Consumer Protection council. (3)

OR

Explain Section 21 and 22 of the Consumer Protection Act, 2019. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

7. Assess contributory negligence as a ground of defense to the tortfeasor with case laws. (5)
 8. Tell the maxim "Injuria sine damnum" & "Damnum sine injuria" with case laws. (5)
 9. Explain the essentials for Rylands v. Fletcher. (5)
 10. Explain the concept of joint tortfeasors. (5)
 11. Compare between tort and contract. (5)
 12. Evaluate Act of God Concept with Relevant Case Laws. (5)

OR

Evaluate any 5 defenses of tort available to the tortfeasor with case laws. (5)
