

2022

LAW

**Law of Torts including MV Accident and
Consumers Protection Laws**

Paper - 105

(NEW SYLLABUS)

Full Marks : 80

Time : 3 Hours

The figures in the right-hand margin indicate marks.

Candidates are required to give answers in their own words as far as practicable.

Answer question no. 1 and any five from the rest.

1. Answer any **ten** questions : $2 \times 10 = 20$

- i) Distinguish between injury and damage.
- ii) What do you mean by tort-feasor?
- iii) What do you mean by *Ubi jus ibi remedium*?
- iv) Distinguish between mistake of fact and mistake of law.
- v) Who is consumer?
- vi) What do you mean by Motor Vehicle?
- vii) What do you mean by *Res ipsa loquitur*?
- viii) What is contributory Negligence?
- ix) What do you mean by Consumer Dispute?

[Turn over]

- x) Explain, in brief, Act of God.
 - xi) Explain the term Actionable *per se*.
 - xii) Explain the term respondent superior.
2. Discuss the composition, powers and functions of Central Commission under the Consumer Protection Act. 12
 3. How the Absolute liability is related with the Motor Vehicle Act? 12
 4. Whether it is a law of tort or law of torts? Explain in the light of the principles of *Ubi jus ibi remedium*. 12
 5. What do you mean by Libel and slander? Under what circumstance slander becomes actionable *per se*? 12
 6. How far Contributory Negligence is a defence in a case of suit for Negligence? 12
 7. What are the essentials of the tort of Defamation? 12
 8. Explain whether Consumer Protection is related with the tort of Negligence. 12
 9. How mental element is relevant in various torts? Discuss. 12