

Con.5229-10

(3 Hours)

[Total Marks: 100]

1. Attempt the following in not more than **two** sentences **each** :

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- (a) What are extra-judicial remedies?
- (b) What does 'Accord and Satisfaction' mean?
- (c) Define 'Libel'.
- (d) What is meant by 'Trespass-ab-initio' ?
- (e) What is 'Appropriate Laboratory' ?
- (f) Define 'Complainant'.
- (g) What is liability by Ratification?
- (h) What is 'Private Nuisance' ?
- (i) Define 'Tort'.
- (j) What are defective goods?

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2. Write Short Notes on any **four** of the following:

- (a) Central Consumer Protection Council
- (b) National Commission
- (c) Conversion
- (d) Re-Polemis
- (e) Scientiors Rule
- (f) Injure non remota causa sed Proxima spectator.

3. Solve any **two** of the following Problems :-

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(a) Mr. Raju, the conductor of an omnibus at the end of the journey drove the omnibus for the purpose of turning it round for the return journey, when Mr. Vikas the driver was absent. In doing so he ran upon Mr. Tom.

- (i) Is there any remedy available to Mr. Tom? Why?
- (ii) Write the judgement and the name of the case law.

(b) 'A' resided in a house next to a Roman Catholic Chapel of which 'B' was priest and the chapel bell was rung at all hours of day and night. 'A' wants to claim damages from 'B'.

- (i) Who is liable? What is the nature of the tort committed here?
- (ii) Write the judgement of the case stating reasons.
- (iii) Write the name of the case law.

(c) Alisha's husband was admitted in the Napolitan hospital. They did not charge for the treatment of her husband. Due to negligence of Medical Service of that hospital he died. Alisha filed a complaints. against the hospital.

- (i) Is the hospital liable? What is the nature of the tort committed here?
- (ii) Write the judgement of the case citing reasons.
- (iii) Write the name of the case law.

4. Attempt any **four** essay type questions from the following :-

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(a) What is the measure of damages? And discuss various kinds of damages awarded in an action of a Tort.

(b) Explain the three tier system of Consumer Redressal Agencies under the Consumer Protection Act, 1986.

(c) Who is a consumer? and discuss in detail consumer safety and protection of consumers under the Consumer Protection Act, 1986.

(d) What are the general defences available in an action of Tort?

(e) What is defamation and discuss in detail absolute privilege and qualified privilege.

(f) Explain false imprisonment and explain its ingredients.

**[TURN OVER**

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