

Total number of printed pages-3

3 SEM LLB LoTMVI 3 (N)

2014

(December)

**LAW OF TORTS INCLUDING M.V. ACT
AND CONSUMER PROTECTION LAW**

Paper : 303

Full Marks : 80

Pass Marks : 32

Time : Three hours

*The figures in the margin indicate full marks
for the questions.*

(Group 'A')

Answer the following questions.

1. Explain *any two* of the following : $5 \times 2 = 10$
- (a) Inevitable accident
 - (b) Abetment of nuisance
 - (c) Act of God
 - (d) Malice in law.

2. (a) "All torts are civil injuries, but all civil injuries are not torts"

Explain this statement and bring out the essential characteristics of a tort. 10

- (b) Differentiate between torts and crimes. 5

Or

Write a note on '*Injuria sine Damno*' and '*Damnum sine injuria*'. Bring out the difference between the two. 5+5+5=15

3. "A man's reputation is the estimate in which others hold him, not the opinion which he has of himself" — discuss. 15

Or

What is malicious prosecution? Explain its essentials. 3+12=15

(Group 'B')

4. Write briefly the necessity of Insurance against third party risk, as enumerated in the M.V. Act, 1988. 10

5. Give the composition, power and jurisdiction of the District Consumer Redressal Forum.

5+5+5=15

Or

- (a) What do you mean by 'Right to Consumer education' under the Consumer Protection Act? Explain.
- (b) What are the disqualifications of a person for appointment as a member of a 'State Commission'? 10+5=15
6. (a) Has any limitation period been prescribed in the Consumer Protection Act, for filing a complaint in the consumer Redressal forums? Explain if there is any scope to entertain any complaint beyond the prescribed limitation period. 4+4=8
- (b) When an order passed by the Consumer Redressal forms become final? Explain.

7

Or

Discuss the facts of the case and the decision given in the following case —

Grant vs Australian knitting mills' Ltd. (1936)
Ac 85. 15
