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3 SEM LLB 3 TORT

2009

(JUNE)

TORT AND CONSUMER PROTECTION ACT

Paper : 303

Full Marks : 80

Time : Three hours

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

GROUP – A

1. Explain briefly *any two* of the following : 5×2=10
- (a) Res ipsa loquitur
 - (b) Malicious prosecution
 - (c) Remoteness of damages
 - (d) Trespass ab initio

2. What do you mean by liability of torts ? Discuss between tortious liability and contractual liability citing examples. 15

Or

Injuria is a wrongful act for which the law provides a remedy. Explain the statement in the light of the maxims relevant to it. 15

3. Distinguish between :

- (a) Libel and slander 5
- (b) Mistake of fact and mistake of Law 5
- (c) Misfeasance and non-misfeasance. 5

Or

Discuss the ingredients of defamation with illustrations. 15

GROUP-B

4. Define and explain *any two* of the following :
5×2=10

- (a) Deficiency.
- (b) Notification
- (c) Restrictive Trade Practice
- (d) Consumer dispute.

5. Discuss the procedures for filing an appeal to the State Commission against the order passed by the District Forum. 15

Or

Discuss the facts of the case and the decisions of the following case : 15

Lucknow Development Authority

Vs

M. K. Gupta (AIR 1994 S.C. 787)

6. Discuss the procedure adopted by the District Forum when a complaint has been filed before it for adjudication. 15

Or

What do you understand by consumer protection ?
Discuss the composition and objects of the State
Consumer Protection Councils. 15

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