

SARDAR PATEL UNIVERSITY
Programme & Subject: BBA LLB
Semester: II
Syllabus with Effect from: June - 2010

Paper Code: IL - 205	Total Credit:
Title Of Paper: Law Of Tort Including Mv Accident & Consumer Protection Laws:	

Unit	Description in Detail	Weightage (%)
	<p>Torts: Meaning, Definition & Scope of Torts: Ingredients of Tort - A Wrongful act – Violation of duty imposed by Law, duty which is owed to people generally (in rem) – <i>damnum sine injuria</i> and <i>injuria sine damnum</i> – The concept of unliquidated damages Differentiate Tort from Crimes and Breach of Contract Relevance of Malice, Motive and Intention in tort. Capacity of person to sue and be sued Who may sue? – aggrieved individual – class action – social action Who may not be sued? Justification of Tort Act of State – Doctrine of Sovereign Immunity and its relevance in India Judicial and Quassi-Judicial acts Parental and Quassi-parental authority Statutory authority Inevitable accident Private defense Act of Necessity <i>Volenti non fit injuria</i> Plaintiff's own wrong Extinction of Tortious Liability: <i>Actio personalis moritur cum persona</i> - exceptions Accord and Satisfaction Waiver Acquiescence Release Limitation Remedies: Judicial remedies Extra-judicial remedies Vicarious Liability: Basis, Scope and Justification Modes of Vicarious liability Express authorization Ratification Abetment Special Relationship: Master and Servant Owner and Independent Contractor Principal and Agent</p>	



<p>Guardian and Ward Company and Directors Torts against Persons and personal relations Assault Battery Mayhem False Imprisonment Defamation Libel Slander Privileges Wrongs affecting property Trespass and Trespass ab initio to Land Trespass to movable goods - Conversion Torts against business interest – injurious falsehood, misstatements, passing off Negligence Basic concept and theories of Negligence Doctrine of Contributory negligence Res ipsa loquitor Nuisance Definition, essentials and types Acts constituting nuisance : obstructing highway, Pollution of Water, Noise and interference with Light and Air Absolute / Strict Liability The Rule of Rylands v. Fletcher Motor Vehicles Act, 1988 (Relevant provisions only) No Fault Liability Principle: Sections 140-142 Insurance of Motor Vehicles against Third Party Risks: Sections 146, 147, 150, 152, 160, 161, 162, 163, 163-A and 163-B Consumer Protection Act, 1986 (Relevant provisions only) Consumerism in India Rights of consumers Definition of Consumer Who is a Consumer? Who is not a consumer? Consumer of Goods Meaning of defects in goods Standards of purity, quality, quantity and potency Supply and distribution of goods Supply of essential commodities Consumer safety in distribution and handling of unsafe and hazardous products, insecticides and pesticides and other poisonous substances Consumer of Service Meaning of Deficiency Professional services including Medical and Lawyering services Electric, Postal, Telecommunication services Housing services Banking services</p>	
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Basic Text & Reference Books:-

- Law of Torts - Ratanlal & Dhirajlal
- Law of Torts - B.M. Gandhi
- Law of Torts - D.D. Basu
- Salmond on Law of Torts
- Text book on Law of Torts - Winfield
- Tort Law - R.W.M. Dias
- Law of Consumer Protection
- (Principles and Practice) - Avtar Singh
- Law of Consumer Protection - D.N. Saraf
- Consumers and the Law - R.M. Vats
- Commentary on Consumer Protection Act - J.N. Barowalia
- A.P. Mathur's Law relating to Motor Vehicles - Eastern Book Company
- Motor Vehicles Act, 1988 – Eastern Book Company

