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SARDAR PATEL UNIVERSITY
B.A./ B.B.A./ B.COM., LL.B. (HON.) (V YEARS INTEGRATED LAW)
First Semester Examinations
2016
Wednesday, 16th November
10:00 A.M. to 12:00 P.M.
UL01CBLH05: Law of Torts

Marks 50

Q1. Problems- Any Two

[10]

1. A clock tower situated in the heart of the city collapsed causing the death of a number of persons. The structure was 80 years old whereas its normal life was 45 years. Is Municipal Corporation which is having the control of that building liable to pay compensation for the consequences of the collapse of the structure? Justify this with proper case law.
2. The owner urged a few boys to push the truck chassis, which was without any engine, and one of the boys fell down and was run over by the said vehicle as a consequence of which he died. In an action by the parents of the deceased boy to claim compensation. Are the parents of the deceased boy eligible to claim the compensation under the Motor Vehicle Act? Justify this with appropriate case laws.
3. Here the complainant purchased a computer for his personal use, which was to be used by his office staff for the purpose of business. The complainant was a contractor by profession. The computer was not being used to earn his livelihood. The computer did not work properly from the very beginning. Is the complainant eligible to file a case in consumer forum? Discuss this with appropriate case law.
4. The driver was taking the jeep for filling petrol in the tank. Suddenly one of the bolts fixing the right wheel to the axle gave a way toppling the jeep. The two strangers were thrown out and sustained injuries, and one of them died as a consequence of the same. Is the driver or the master is liable for this act. Justify the same with the proper case laws.

Q2. Tort is a civil wrong but not all civil wrongs are torts. Explain

[15]

OR

Q2. What are the defenses available under Law of Torts?

[15]

Q3. Define Strict Liability and Vicarious Liability with case laws.

[15]

OR

Q3. "Every person has the capacity to sue and be sued in tort", Explain

[15]

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(P.T.O.)

Q4. Short Notes- Any Two

[10]

1. Defamation
2. Consumer Protection Redressal Agencies
3. Nuisance
4. Master and Servant

