

[CA-36/A-43/A43A]

SARDAR PATEL UNIVERSITY
B.A/ B.B.A/ B.COM.,LL.B. (HON.) (V YEAR INTEGRATED LAW
Seventh Semester Examinations

2016

Monday, 28th November

02.00 p.m. to 04.00 p.m.

UL07CBLH05:LAW OF CARRIAGE (BL) HON.-II**Marks: 50**

Q1. Problems (Answer any two)

[10]

- a) If a passenger purchased air ticket from Zambia to Ahmadabad. The place of departure was to be from Nairobi and destination to Ahmadabad, with a break at Bombay. When the passenger reached at Ahmadabad he found that some of his luggage were lost. So who is responsible for this and why?
- b) If a ship owner handed over the goods to the port Authority at the destination and the consignee while removing them in stages found that the lost was in damaged state. The carrier contended that the goods were discharged at the port in good condition and the damages might have happened at the port. Now in this situation the carrier was held liable or not?
- c) A truck load of cotton was booked with a transporter over a long distance route. The truck was operated by gas plant. The carrier told the consignor that it was risk to carry cotton by gas plant truck, but even so he said that he would run the risk. The risk materialized. The gas plant set the cotton on fire. Then who is liable for this?
- d) If the defendant a common carrier by sea from London to Aberdeen, received from the plaintiff a mare to be carried to Aberdeen on hire. In the course of the voyage the ship encountered rough weather and the mare received such injuries that she died. The injury found that the injuries were caused partly by more than ordinary bad weather, and partly by conduct of the mare herself by reason of fright and consequently struggling. Now in this case the defendant was held liable for the death of the mare.

Q2. Carriage by rail is called as which carrier? Explain the liability and responsibility of the consignor? [15]

Or

Q2. Describe the functions of Bill of lading and explain the liability of carriers with case laws. [15]

Q3. What is carriage by air? Explain the consumer cases on airline services. [15]

Or

Q3. Explain common carrier with case laws? Differentiate between common carrier and private carrier. [15]

①

[PTO]

Q4. Short Notes (Answer any two)

[10]

- a) Payment of hire
- b) Safety of passenger
- c) Rights and immunities under Article IV
- d) Exceptions under common carriage
- e) Forwarding notes

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