

(Following Paper ID and Roll No. to be filled in your Answer Book.)

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Int. LLB Examination 2013-2014

(Second Semester)

LAW OF TORT INCLUDING MVA

Time : 3 Hours]

[Maximum Marks : 100

- Note :-**
- (i) The question paper contains three sections A, B and C.
 - (ii) All sections are compulsory.
 - (ii) Section A carries 20 marks, Section B carries 30 marks and Section C carries 50 marks.

SECTION – A

1. Fill in the blanks of the following questions :
- (a) The term "Tort" is derived from Latin word
 - (b) Maxim Ubi jus ibi remedium means where there is right there is a
 - (c) Winfield has defined liability in tort as liability arising from the primarily fixed by the law.

[P. T. O.]

- (d) Wrong means an act contrary to; a legal wrong.
- (e) Wrongs are of two types : Civil and
- (f) In case of a criminal wrong, the state proceeds against the
- (g) Tort is a civil wrong. But all civil wrongs are not
- (h) In tort the suit for recovery of damages.
- (i) A tort is an infringement of a right in
- (j) Libel defamation means
- (k) Landmark case Ryland Vs. Fletcher is related to
- (l) Maxim Res ipsa loquitur means the things
- (m) Injuria means the breach of a
- (n) Duties in tort and crime are fixed by law, but in contract they are fixed by the
- (o) In tort the duties are towards a
- (p) A tort is a wrong.

- (q) In tort intention of the
- (r) Landmark case Nicholas Vs. Marceland is related to
- (s) A public wrong means a wrong done to
- (t) 'Vis Major' means

SECTION – B

Note :- Answer any three questions out of five questions.

- 2. What do you understand by Tort? Explain the essential elements of tort.
- 3. Discuss in detail difference between Tort and Crime.
- 4. Explain the latin maxim 'Ubi Jus ibi remedium'.
- 5. Discuss mental elements in tort.
- 6. What do you understand by "invariable Accident"? Distinguish it from the Act of God.

SECTION – C

Note :- All questions are compulsory. Each questions has internal choices.

- 7. Discuss the liability of state for Torts.

OR

Explain the doctrine "Res Ipsa Loquitur".

[P. T. O.]

8. Elucidate the maxim "Valenti non fit Injuria".

OR

Define malfeasance, misfeasance and non-feasance.

9. Discuss the principles of Ryland Vs. Fletcher.

OR

What are the exceptions to the principles of Ryland Vs. Fletcher?

10. Explain the essential elements of Nuisance. How does it differ from Negligence?

OR

What do you mean by Negligence? Discuss essential of Negligence. Support your answer with decided cases.

11. Define defamation and discuss its essential element.

OR

Breach of legal duty is one of the essentials of Negligence. Elaborate.
