

**TILAK MAHARASHTRA VIDYAPEETH, PUNE**  
**BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/**  
**B.A. LL.B. (ACADEMIC LAW)**

**(FIVE YEARS SEMESTER PATTERN) CREDIT SYSTEM**

**EXAMINATION : DECEMBER - 2023**

**EIGHTH/FOURTH SEMESTER**

**Sub.: Law of Tort, including Motor Vehicle Accident & Consumer Protection Laws**

**(LW-8002/402)**

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**Date : 13/12/2023**

**Total Marks : 60**

**Time: 2.00 pm to 4.30 pm**

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**Instructions:** 1) All questions are compulsory.  
2) Figure indicate to the right full marks.

**Q. 1. Answer the following question. (15)**

A) Explain any 5 General defences under law of Torts with the help of suitable case law.

OR

B) Distinguish between Strict and absolute liability with relevant case laws.

**Q. 2. Answer the following question. (15)**

A) Who is a consumer ? Enumerate the rights of consumer under Consumer Protection Act 2019.

OR

B) Explain No fault liability under Motor Vehicle Act 1988.

**Q. 3. Write Short Notes. (any four) (20)**

a) Trespass to person

b) Innuendo

c) Contributory Negligence

d) Public Nuisance

e) Deceit

f) Object of Motor Vehicle Act 1988

**Q. 4. Answer the following questions. (10)**

A) Mr Amit established a school and charged a fee of Rs 1000 per year. Mr. Sumit set up another school adjacent to the school owned by Mr. Amit. In order to beat the competition Mr Amit was forced to reduce the fees to Rs 500 per year.

i. What remedy is available to Mr. Amit? Suggest it with suitable case law.

ii. Explain the maxim relevant to the above situation.

OR

B) Virendra is watching a cricket match from top of a tree just outside the stadium. The batsman, Mahendra, hit the ball hard and the ball flies over the boundary and hit Virendra. Virendra fell from the tree and hurt his back.

i. Can Virendra claim damages from the batsman or stadium authorities?

ii. Explain the legal maxim which is highlighted in the given problem above.