

**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 - 2024**

**EIGHTH/FOURTH SEMESTER**

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

**(LW-8002/402)**

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**Date : 11/12/2024**

**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) Discuss the nature and scope of tort law. How does tort law differ from contract law and criminal law, and why is it important for civil justice?

OR

B) Analyze the concept of vicarious liability in tort law. How is it justified, and what are the conditions under which an employer or principal can be held liable for the acts of an employee or agent?

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

A) What are the essential elements of negligence in tort law? Discuss the development of the duty of care, breach, and damage in negligence cases with reference to landmark judgments.

OR

B) What is the role of consumer dispute redressal agencies in protecting consumer rights?

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

- a) The role and importance of third-party insurance as mandated under the Motor Vehicles Act
- b) Difference between 'libel' and 'slander'
- c) Trespass to land
- d) Damnum sine injuria
- e) volenti non fit injuria
- f) purpose of awarding damages in tort cases

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

Practical OR Open Ended Question

A neighbor repeatedly plants trees that overhang onto your property, causing damage to your fence. You have asked them to trim the branches, but they refuse to do so. What legal actions might you take under tort law to resolve this issue, and what defenses might your neighbor present?

OR

A person is accused of causing damage to someone's property by inadvertently spilling water from a broken pipe in their apartment. What possible defenses could the person raise under tort law, and how would the court assess whether the defense is valid?