

[Time: 3 Hours]

[Marks :100]

Please check whether you have got the right question paper.

N.B: 1. Attempt all questions.

Q.NO.1: Write answers in two sentences (0)

- 1) What is Malfeasance and misfeasance?
- 2) What is wrongful act?
- 3) Explain the 'damage' and term 'damages.'
- 4) Explain the term 'waiver'.
- 5) Explain the term 'inevitable accident.'
- 6) What is an injunction?
- 7) What is Contributory Negligence?
- 8) Define the term 'Appropriate laboratory' under Consumer Protection Act, 1986.
- 9) Define the term 'deficiency' under Consumer Protection Act, 1985.
- 10) Define the term manufacturer under Consumer Protection Act, 1986

Q. No.2: Write shorts notes of any **four** (20)

- 1) Unfair trade practice.
- 2) Libel
- 3) Discharge of Torts
- 4) Damnum sine injuria
- 5) Assault and Battery
- 6) Central Consumer Protection Council

Q. No.3: Answer the situational based question (Any **two**) (12)

- 1) Raju, a student of AB school of 7th standard was locked up in school for half an hour after the school hours for failing to do the homework by his school.
 - a) Who is liable in this case? Why?
 - b) What is remedy available to Raju? Why?
- 2) Mr. Venugopal locked his ill dog in his flat and went on vacation for 15 days. The dog died and hence bad smell disturbed all the residents of that society. They tried to contact Mr. Venugopal but unable to contact him.
 - a) Who is liable? Why?
 - b) What is the remedy available to the residents?
- 3) Mr. Ajit purchased the Air tickets of FlyHigh Air Company from Mumbai to Bangkok and back to Mumbai. His baggage was missing during air travel from Bangkok to Mumbai but later it was found in damaged condition with valuable removed from it.
 - a) What is the remedy available to Mr. Ajit? Explain.
 - b) Is HighFly Air Company liable? Why?

Q. No.4: Answer in detail (Any four)

(18)

- 1) What are the general defences available in an action of tort?
- 2) Discuss the vicarious liability arising out of Master-Servant relations.
- 3) Discuss the principle of strict and absolute liability with the reference of landmark cases.
- 4) What is trespass? Discuss the trespass to the person.
- 5) Discuss in detail the three tier redressal system under Consumer Protection Act, 1986.
- 6) Discuss in detail the aim and object of the Consumer Protection Act.