

[This question paper contains 2 printed pages.]

Your Roll No.

1339

J

LLM / MCL/II Sem.

LM—2019—LAW OF SPECIFIC TORTS

Time : 3 Hours

Maximum Marks : 80

*(Write your Roll No. on the top immediately
on receipt of this question paper.)*

Attempt any four questions.

All questions carry equal marks.

1. The common law regarding recovery of compensation for pure psychiatric illness also described by the expression nervous shock, "is a patch-work quilt of distinctions which are difficult to justify."

Critically examine the above statement in the light of judicial pronouncements recently decided in India and England.

2. "An assault is an attempt or a threat to do a corporeal hurt to another, coupled with an apparent ability and intention to do the act. Actual control is not necessary in an assault, though it is in a battery."

In the light of the above statement distinguish between assault and battery. Refer to English and Indian cases in support of your answer.

[P. T. O.]

3. Critically examine the concept of nuisance. Distinguish between private and public nuisance. Discuss in detail the defences and remedies available in case of nuisance.
4. Define defamation. Distinguish between Libel and Slander. Point out succinctly the difference between English and Indian law. Discuss elaborately the defences available. Refer to English and Indian judicial pronouncements.
5. 'There would be manifest injustice if a person was held responsible for all consequences of his act which in theory may be endless. A person is, therefore, held responsible in law only for consequences which are not too-remote. A damage or injury though caused by a tortious act of the defendant will not qualify for award of damages if it is too-remote'.

Explain the above statement and refer to recently decided cases in support of your answer.

6. Write critical notes on any *two* of the following :
 - (a) Res ipsa loquitur,
 - (b) Innuendo,
 - (c) Absolute liability.