

Paper 1.3

LAW OF TORT INCLUDING M V ACCIDENT AND CONSUMER PROTECTION LAW

Max. Marks: 100

Min.

Marks: 36

Note:

- a. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
 - b. Leading cases prescribed under this paper may be read whenever they are relevant.
1. Definition, Nature, Scope, Objects and Elements of Tort, Maxims, Extinction or discharge of tortious Liability, joint Tort-feasors.
 2. General defences of Tortious Liability.
 3. Vicarious Liability, Doctrine of Common Employment, State Liability, Absolute or strict Liability.
 4. Remedies, Kinds and Measures of damages. Remoteness of damages.
 5. Torts to person. Assault, Battery, False Imprisonment & Torts relation to property, negligence, nuisance, nervous shock, Interference with contract or business, intimidation, conspiracy, deceit or fraud, malicious prosecution, defamation.
 6. The Protection Act, 1986. as amended by The consumer Protection (Amendment) Act, 2002
 7. Motor Vehicles Act, 1988 M.V. Accident Protection Law
 - Liability without fault in certain cases (Chapter 10)
 - Insurance of Motor Vehicles against third party risk (Chapter 11)
 - Claim Tribunals (Chapter 12)

LEADING CASES :

1. State of Rajasthan v. Ms. Vidhyawati, A.I.R., 1962, S.C. 983
2. Wagon Mound's Case (1961), W.L.R. 121.
3. Rylands v. Fletcher, 1868, L.R. 3, H.L. 330
4. Donoghue v. Stevenson (1932), A.C. 562
5. National Insurance v. Swaran Singh & Ors. ACTC 2004, Page 7.

BOOKS FOR STUDY :

1. Ratan Lal : The English and Indian Law of Torts.
2. B.S. Sinha : Law of Torts
3. Winfield : Law of Torts
4. Ramaswami Iyer : Law of Torts
5. Salmond : Law of Torts
6. Street : Law of Torts
7. G.S. Karkara : Contributory Negligence
8. Gurbax Singh : Law of Consumer Protection

9. P. Leelakrishnan : Consumer Protection and Legal Control
10. Avtar Singh : Law of Consumer Protection
11. पाण्डे, जयनारायण : अपकृत्य विधि
12. वॉगिया, आर. के. : अपकृत्य विधि
13. शुक्ला, एम. एन. : अपकृत्य विधि
14. अग्रवाल : अपकृत्य विधि के सिद्धान्त

