

BLOGS

MCQs on Tort Law for CLAT PG 2026

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1. In *Rylands v. Fletcher*, liability will NOT arise if:

- a. The escape is due to the act of God
- b. The substance stored is non-dangerous
- c. Plaintiff consented to the accumulation
- d. All of the above

Correct answer: d

Explanation: Defences to the rule include act of God, consent, and absence of dangerous accumulation.

2. “Conversion” differs from trespass to goods because:

- a. Conversion requires intention to assert dominion inconsistent with owner’s rights
- b. Conversion always needs physical damage
- c. Trespass protects possession, not ownership
- d. Both a and c

Correct answer: d

Explanation: Conversion is intentional interference denying owner’s title, whereas trespass protects possession.

3. In malicious prosecution, which element is not required?

- a. Lack of reasonable and probable cause
- b. Malice
- c. Actual damage
- d. Breach of statutory duty

Correct answer: d

Explanation: Malicious prosecution requires (i) prosecution by defendant, (ii) termination in plaintiff’s favour, (iii) lack of reasonable cause, (iv) malice, and (v) damage.

4. When a manufacturer owes a duty of care to ultimate consumers despite no contract, it arises from:

- a. Doctrine of strict liability
- b. Principle in *Donoghue v. Stevenson*
- c. *Respondeat superior*
- d. Voluntary assumption of risk

Correct answer: b

Explanation: The “neighbour principle” in *Donoghue v. Stevenson* created liability in negligence independent of contract.

5. If A throws a lit match onto B’s thatched roof and the wind spreads fire to C’s property, A is:

- a. Liable to B but not C
- b. Liable to both B and C for foreseeable consequences
- c. Not liable to C due to novus actus
- d. Protected by remoteness doctrine

Correct answer: b

Explanation: Under *Wagon Mound* test, foreseeable spread of fire renders A liable to both victims.

6. Which of these is a qualified privilege in defamation?

- a. Parliamentary proceedings
- b. Court judgments
- c. Fair comment on public interest
- d. Reports of State Gazette

Correct answer: c

Explanation: Fair comment on matters of public interest is a qualified privilege, subject to absence of malice.

7. Joint tortfeasors are:

- a. Persons liable for same damage caused by a common action or design
- b. Always liable equally, regardless of fault

- c. Not liable if one settles with plaintiff
- d. Only those acting under contract

Correct answer: a

Explanation: Joint tortfeasors act in concert or cause the same damage, sharing liability.

8. Identify the correct statement on vicarious liability:

- a. An employer is always liable for employees' torts, even outside employment
- b. Employer's liability depends on whether the tort was committed "in the course of employment"
- c. Delegation of duty absolves the principal
- d. Vicarious liability applies only to negligence

Correct answer: b

Explanation: Employer is liable only if the wrongful act was committed in the course of employment.

9. The "eggshell skull" rule means:

- a. Damages are limited to what a reasonable person would suffer
- b. Defendant is liable even for unforeseeable extent of injury to a fragile plaintiff
- c. It applies only to psychiatric harm
- d. It requires special damages

Correct answer: b

Explanation: Once negligence is established, defendant must take plaintiff as found, even with unusual vulnerability.

10. Liability in tort for misfeasance in public office arises when:

- a. A public officer negligently omits to perform a duty
- b. A public officer acts maliciously or with knowledge of illegality causing damage
- c. The government enacts a harmful statute
- d. A statutory discretion is exercised bona fide

Correct answer: b

Explanation: Misfeasance requires deliberate abuse of power or recklessness causing damage to an individual.