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.