AILET

Multiple Choice Questions on Tort Law for CLAT PG

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Preparing for the CLAT and AILET PG examinations? Attempt these Multiple Choice Questions on Tort Law and gauge your preparation today!

QUESTIONS

1. Which of the following is NOT an essential element of a tort?

A) Wrongful act or omission

B) Legal damage

C) Criminal intent

D) Legal remedy

Answer: C) Criminal intent

Explanation: Tort law primarily deals with civil wrongs rather than criminal offences.

2. In which landmark case was the principle of 'Strict Liability' established?

A) Donoghue v. Stevenson

B) Rylands v. Fletcher

C) Ashby v. White

D) Carlill v. Carbolic Smoke Ball Co.

Answer: B) Rylands v. Fletcher

Explanation: The rule of strict liability was established in Rylands v. Fletcher, where a person bringing something dangerous onto their land was held liable if it escaped and caused harm, regardless of negligence.

3. Which of the following is a defense to the tort of negligence?

A) Volenti non fit injuria

B) Res ipsa loquitur

C) Injuria sine damno

D) Malice aforethought

Answer: A) Volenti non fit injuria

Explanation: Volenti non fit injuria means “to one who volunteers, no harm is done.” If a person willingly consents to a known risk, they cannot later claim damages for injury.

4. A shopkeeper falsely imprisons a customer on suspicion of theft without reasonable cause. Which tort has been committed?

A) Assault

B) Battery

C) False imprisonment

D) Trespass to land

Answer: C) False imprisonment

Explanation: False imprisonment occurs when a person is unlawfully restrained from moving freely without legal justification.

5. The “neighbor principle” in negligence was established in which case?

A) Bourhill v. Young

B) Donoghue v. Stevenson

C) Palsgraf v. Long Island Railroad Co.

D) Wagon Mound Case

Answer: B) Donoghue v. Stevenson

Explanation: Donoghue v. Stevenson introduced the “neighbor principle,” which states that one must take reasonable care to avoid acts or omissions that could foreseeably harm others.

6. Which of the following is an example of vicarious liability?

A) A person injuring another in a car accident

B) A master being held liable for the wrongful act of a servant

C) A person trespassing on another’s land

D) A doctor treating a patient negligently

Answer: B) A master being held liable for the wrongful act of a servant

Explanation: Vicarious liability arises when an employer is held responsible for the wrongful acts of an employee performed during the course of employment.

7. In tort law, 'Nuisance' refers to:

A) Any minor inconvenience
B) A public or private interference with the enjoyment of property
C) A breach of contract
D) A criminal act of defamation

Answer: B) A public or private interference with the enjoyment of property

Explanation: Nuisance in tort law refers to an act that unlawfully interferes with another's use or enjoyment of land. It can be public (affecting a community) or private (affecting an individual).

8. Which of the following is NOT a type of tort?

A) Negligence
B) Defamation
C) Breach of contract
D) Trespass

Answer: C) Breach of contract

Explanation: Breach of contract is a matter of contract law, not tort law, which primarily deals with civil wrongs such as negligence, defamation, and trespass.

9. The principle of 'Res Ipsa Loquitur' means:

A) Let the buyer beware
B) The thing speaks for itself
C) Ignorance of law is no excuse
D) Let the master answer

Answer: B) The thing speaks for itself

Explanation: Res Ipsa Loquitur applies when an accident occurs under circumstances that strongly indicate negligence, even without direct evidence.

10. Which of the following statements about defamation is TRUE?

A) Truth is always a complete defense to defamation

B) Only written statements can be defamatory

C) Defamation is only a criminal offense, not a tort

D) Public figures cannot sue for defamation

Answer: A) Truth is always a complete defense to defamation

Explanation: If a statement is true, it cannot be defamatory, as defamation requires the statement to be false and injurious to reputation.

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