BLOGS

Multiple Choice Questions on Tort Law for CLAT PG 2026

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Q1. Which of the following best defines the tort of negligence?

a. An intentional act to harm another.
b. Failure to exercise the care that a reasonable person would under the circumstances.
c. Causing damage only to physical property.
d. Breaching a promise made in a contract.

Answer: b

Explanation: Negligence involves a breach of a legal duty to take reasonable care, resulting in damage. It does not require intent, unlike option a. It can affect persons, not just property, and is not a contractual issue.

Q2. Under the doctrine of *res ipsa loquitur*, what must a plaintiff prove to infer negligence?

a. The defendant admitted fault.
b. The object that caused harm was under the defendant's control and the event ordinarily would not occur without negligence.
c. The plaintiff observed the negligent act.
d. The defendant had a prior record of negligence.

Answer: b

Explanation: *Res ipsa loquitur* allows negligence to be inferred when the defendant had control over the object causing harm, and such harm wouldn't normally occur without negligence.

Q3. Which of the following is not a valid defense to defamation?

a. Truth
b. Fair comment on a matter of public interest
c. Privilege

d. Mistake of fact

Answer: d

Explanation: Mistake of fact is not a valid defense in defamation law. Truth, fair comment, and privilege are recognized defenses.

Q4. What is the key distinction between libel and slander?

a. Libel is spoken; slander is written.
b. Libel is temporary; slander is permanent.
c. Libel is defamation in a permanent form; slander is defamation in a transient form.
d. Libel always requires special damages; slander never does.

Answer: c

Explanation: Libel refers to written or otherwise permanent defamation, while slander is spoken or temporary. Special damage is not always required for libel.

Q5. Which of the following correctly describes public nuisance?

a. A nuisance that affects only an individual's property.
b. A nuisance that unreasonably interferes with a right common to the general public.
c. A nuisance that requires intent to cause harm.
d. A nuisance for which damages must be proven by every affected individual.

Answer: b

Explanation: Public nuisance affects public rights, such as health, safety, or convenience. It does not require intent or individual damage for every person affected.

Q6. Under the rule in *Rylands v. Fletcher*, who is liable for harm caused by the escape of a dangerous substance?

a. The government only
b. The person who keeps the dangerous substance on their land
c. Only if negligence is proved
d. The person harmed must bear the risk

Answer: b

Explanation: Under strict liability, a person who brings and keeps a dangerous thing on their land is liable for any escape that causes harm, regardless of negligence.

Q7. How does the doctrine of absolute liability differ from strict liability in Indian tort law?

a. It permits certain common law defenses.
b. It applies only when negligence is proved.
c. It does not allow any defenses at all.
d. It limits liability to physical harm only.

Answer: c

Explanation: Absolute liability, as developed in Indian jurisprudence, is stricter than strict liability because it does not allow for any exceptions or defenses.

Q8. Which of the following is an example of vicarious liability?

a. A hospital being held liable for a patient's negligence.
b. A parent held liable for a neighbor's injury.
c. An employer held liable for the tort committed by an employee during the course of employment.
d. A manufacturer held liable for a defect caused by a third party.

Answer: c

Explanation: Vicarious liability arises when one party is held liable for the torts of another due to a specific relationship, like employer and employee.

Q9. Which of the following is true regarding trespass to land?

a. It requires actual damage to the property.
b. It is not trespass if the trespasser did not know the land was owned.
c. It is trespass if there is an intentional entry, even without damage or knowledge of ownership.
d. It must be proven with eyewitness testimony.

Answer: c

Explanation: Trespass to land requires only intentional entry, not knowledge or actual damage. Intent to enter, not intent to trespass, is sufficient.

Q10. Which of the following is an example of trespass to the person?

a. Publishing false information about someone.

b. Unwanted and intentional physical contact without consent.

c. Constructing a wall on another's land.

d. Making a false statement in a newspaper.

Answer: b

Explanation: Battery, an unwanted and intentional physical contact, is a type of trespass to the person. The other options involve defamation or trespass to land.