BLOGS

Passage-Based Questions on Legal Reasoning for CLAT UG [Part 19]

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Passage 1 (P.1) Joint liability arises when two or more persons are held legally responsible for the same obligation or wrongful act. Under this principle, each person involved in the act may be held liable for the entire damage caused, regardless of the extent of their individual contribution. The rationale behind joint liability is that when individuals act together to cause harm, the law treats them as collectively responsible for the consequences of their actions. In civil law, joint liability commonly arises in situations where multiple parties collaborate in committing a wrongful act, such as negligence or tortious interference. For instance, if two individuals jointly engage in conduct that leads to injury or property damage, the injured party may recover the entire amount of damages from any one of them. It is then the responsibility of the person who paid the damages to seek contribution from the other wrongdoers. This principle is particularly significant in cases where it may be difficult to determine the precise degree of fault attributable to each individual involved. By imposing joint liability, the law ensures that the victim is not deprived of compensation merely because responsibility cannot be perfectly apportioned. However, joint liability typically arises only when the parties have acted in concert or where their actions combine to produce a single, indivisible harm. If the harm caused by each person can be clearly separated, courts may impose several liability instead, meaning each person is responsible only for the portion of damage they individually caused. The doctrine also serves a deterrent function by discouraging individuals from participating in collective wrongdoing. When individuals understand that they may be held responsible for the entire harm caused by a group, they may be less willing to engage in activities that could lead to injury or loss to others. **1. A and B jointly throw stones at C's house, breaking several windows. C cannot determine whose stone caused which damage. According to the passage?** a. Only the person who caused the most damage is liable

b. Both A and B may be held jointly liable for the entire damage

c. Neither A nor B is liable unless exact responsibility is proven

d. Liability arises only if the police investigate **2. A and B separately damage two different cars parked on the street during unrelated incidents. The damages can be clearly**

attributed to each person. Which statement best applies? a. Both A and B are jointly liable for all damages

b. Neither A nor B is liable because the acts were separate

c. Each person is liable only for the harm individually caused

d. Liability depends solely on insurance coverage **3. Three contractors jointly construct a building negligently, causing the structure to collapse and damage neighbouring property. The victim sues one contractor for the full loss. According to the passage?** a. The lawsuit is improper because all contractors must be sued together

b. The contractor sued may be liable for the entire damage

c. The contractor cannot be liable unless he caused the collapse alone

d. Liability arises only if the contractors signed a joint contract **4. Which of the following situations would least likely result in joint liability?** a. Two drivers racing each other and causing an accident

b. Two individuals cooperating in committing property damage

c. Separate drivers causing independent accidents at different times

d. Two people jointly polluting a water source **5. The principle of joint liability primarily ensures that?** a. courts avoid determining responsibility among wrongdoers

b. criminal liability replaces civil remedies

c. only the wealthiest defendant pays damages

d. victims are not denied compensation due to difficulty in apportioning fault **Passage 2 (P.2)** An unlawful assembly is defined as a gathering of five or more persons with a common objective that is illegal or that threatens public order. The law recognises that when individuals assemble with a shared purpose that involves committing an offence or using criminal force, the collective nature of their conduct poses a greater risk to society than the actions of a single individual. The concept of unlawful assembly is based on the idea of common object, meaning that all members of the assembly share a particular purpose that is unlawful or likely to lead to unlawful acts. Once such a common object is established, every member of the assembly may be held responsible for offences committed by any member in pursuit of that common object. Importantly, a person does not need to actively participate in the commission of the offence to incur liability. Mere membership in an unlawful assembly, combined with knowledge of its unlawful objective, may be sufficient to establish responsibility. However, if a person joins the assembly without knowledge of its unlawful purpose, or withdraws from the group before any offence is committed, liability may not arise. Similarly, if an offence committed by a member of the group was entirely unrelated to the

common object of the assembly, other members may not be held responsible. The law therefore recognises that collective behaviour can amplify the potential for violence and disorder. By imposing liability on all members who knowingly participate in an unlawful assembly, it aims to discourage individuals from associating themselves with groups that intend to engage in illegal activities. **6. Six people gather with the common objective of vandalising public property. One member breaks a streetlight while others stand nearby. According to the passage?** a. Only the person who broke the streetlight is liable

b. All members may be liable if the act was in furtherance of the common object

c. Only those who physically assisted are liable

d. Liability depends on whether the police witnessed the act **7. Five individuals gather peacefully for a protest. Suddenly one member independently assaults a passerby for personal reasons unrelated to the protest. Which statement is most accurate?** a. Only the person who committed the assault is liable if it was unrelated to the common object

b. All members of the group are automatically liable

c. No one is liable because the group was peaceful

d. Liability depends on the number of witnesses **8. A person unknowingly joins a group that secretly intends to damage property. Before any damage occurs, the person learns of the plan and immediately leaves. According to the passage?** a. The person is liable for unlawful assembly

b. The person may avoid liability due to lack of knowledge and withdrawal

c. The person is liable because the group had five members

d. The person is liable unless police permit departure **9. Which element is most essential to establish an unlawful assembly?** a. The presence of weapons

b. A common unlawful objective shared by the members

c. Physical violence occurring immediately

d. Presence of police authorities **10. Which situation would least likely constitute unlawful assembly?** a. A group gathering to destroy government property

b. A group forming to forcibly occupy private land

c. A group gathering peacefully for lawful discussion

d. A group assembling to intimidate a rival community **Passage 3 (P.3)** In traditional Hindu law, a Hindu Undivided Family (HUF) is a family unit consisting of lineal descendants from a common ancestor along with their spouses and unmarried daughters. The management and control of the family's affairs are typically vested in a person known as the Karta, who is usually the senior-most

member of the family. The Karta occupies a unique position within the HUF. As the head of the family, the Karta has authority to manage family property, conduct business on behalf of the family, and represent the family in legal matters. The Karta's powers include entering into contracts, managing joint property, and making decisions necessary for the benefit of the family. However, the Karta's authority is not unlimited. The Karta is expected to act in the interest of the family and cannot misuse family property for purely personal purposes. Transactions undertaken by the Karta are generally binding on the other members of the HUF if they are carried out for legal necessity or for the benefit of the family. Legal necessity may include actions such as paying family debts, performing essential religious ceremonies, or meeting expenses necessary for the maintenance of family members. If a transaction by the Karta is shown to have been made without necessity or benefit to the family, other members may challenge it. The position of Karta therefore combines elements of authority and responsibility. While the Karta is empowered to manage family affairs efficiently, the law also seeks to ensure that such authority is exercised in a manner that protects the interests of all members of the family. **11. The Karta of a HUF sells a portion of family property to pay off significant family debts. Which statement is most consistent with the passage?** a. The sale is valid if it was done for legal necessity

b. The sale is invalid because only courts may sell property

c. The sale is invalid unless every member consents

d. The sale automatically dissolves the HUF **12. A Karta uses joint family funds to start a business expected to benefit the family financially. Which statement is correct?** a. The action is valid if undertaken for the benefit of the family

b. The action is invalid because business cannot be conducted by a Karta

c. The action requires consent from all relatives

d. The action is automatically illegal **13. The Karta sells family land to purchase a luxury car solely for personal use. According to the passage?** a. The transaction is valid because the Karta controls family property

b. The transaction may be challenged by other family members

c. The transaction is binding regardless of purpose

d. The transaction becomes valid after registration **14. Which of the following best describes the role of the Karta?** a. A representative with authority to manage family affairs for the benefit of the HUF

b. A person with unlimited personal ownership of family property

c. A government-appointed manager of family assets

d. A temporary guardian of minors only **15. Which of the following situations would most clearly exceed the authority of the Karta?** a. Using funds for essential family maintenance
b. Paying debts owed by the family
c. Selling property solely for personal luxury
d. Entering contracts beneficial to family business **Answers B –** Since A and B acted together and the damage cannot be separated, the law treats them as jointly responsible for the entire harm. **C –** Because the acts were separate and the damage can be clearly identified, each person is responsible only for what they individually did. **B –** When multiple people act together and cause a single harm, even one of them can be held liable for the full damage. **C –** Joint liability usually applies when actions are connected. Here, the accidents are independent and unrelated, so joint liability is least likely. **D –** The main purpose is to ensure that the victim still gets compensation even if it is difficult to divide responsibility among wrongdoers. **B –** Since all members shared the same unlawful objective, everyone can be held liable for acts done to achieve that objective, even if only one person actually did it. **A –** If the act was completely unrelated to the group's common purpose, then only the person who committed it is responsible. **B –** The person did not know the unlawful purpose initially and left once they found out, so they can avoid liability. **B –** The most important element is a shared unlawful objective among the group members. **C –** A peaceful and lawful gathering does not qualify as an unlawful assembly because there is no illegal common objective. **A –** The Karta can sell property if it is necessary for the family, such as paying debts, so the action is valid. **A –** If the business is started for the benefit of the family, the Karta is acting within their authority. **B –** Using family property for personal luxury is not allowed, so other members can challenge this decision. **A –** The Karta manages and represents the family but must act in its best interest, not for personal gain. **C –** Selling property purely for personal luxury goes beyond the Karta's authority because it does not benefit the family.