BLOGS

Practice Questions on Tort Law for CLAT PG 2026: Part I

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Preparing for the upcoming CLAT 2026 examination? Attempt these practice questions on Tort Law for CLAT PG 2026 and test yourself now!

QUESTIONS

1. In an action for private nuisance, which of the following is the most crucial test to determine liability?

A. Actual damage to property
B. Malicious intention of the defendant
C. Reasonableness of the defendant's use of his land
D. Duration of the nuisance

Answer: C
Explanation: Liability in private nuisance is based on the unreasonableness of the defendant's use of their land. Malice or damage alone is not sufficient.

2. In Rylands v. Fletcher, what is the fundamental principle established?

A. Fault-based liability
B. Absolute liability without exceptions
C. Strict liability with exceptions
D. Vicarious liability

Answer: C
Explanation: The rule in Rylands v. Fletcher introduced strict liability, meaning liability without fault, but with several exceptions.

3. Which of the following is not a valid defense in a tort of defamation?

A. Justification

B. Fair comment

C. Privilege

D. Mistake of fact

Answer: D

Explanation: Mistake of fact is not a valid defense. Truth (justification), fair comment, and privilege are recognized defenses.

4. Which of the following statements about vicarious liability is true?

A. An employer is always liable for the criminal acts of employees.

B. Independent contractors always lead to vicarious liability.

C. Employers may be liable for employees' acts done in the course of employment.

D. Vicarious liability does not apply to government departments.

Answer: C

Explanation: Vicarious liability holds employers liable for torts committed by employees in the scope of employment.

5. The defense of volenti non fit injuria is not available when:

A. The plaintiff consented to a known risk

B. The plaintiff was forced to accept the risk

C. The plaintiff had knowledge of the risk

D. The injury occurred in a dangerous sport

Answer: B

Explanation: Consent must be voluntary. If the plaintiff is compelled, the defense fails.

6. Which of the following elements is not essential for establishing negligence?

A. Legal duty

B. Breach of duty

C. Damages caused by a third party

D. Proximate cause

Answer: C

Explanation: For negligence, the harm must be caused by the defendant's breach. Damage

caused by another person breaks the causal chain.

7. Under Indian tort law, which of the following is a strict liability case without exceptions?

A. Donoghue v. Stevenson

B. M.C. Mehta v. Union of India

C. Ashby v. White

D. Blyth v. Birmingham Water Works

Answer: B

Explanation: In M.C. Mehta, the Indian Supreme Court created the doctrine of absolute liability, stricter than Rylands v. Fletcher.

8. The "neighbour principle" in tort law was introduced in which case?

A. Rylands v. Fletcher

B. Grant v. Australian Knitting Mills

C. Donoghue v. Stevenson

D. Palsgraf v. Long Island Railroad

Answer: C

Explanation: Lord Atkin introduced the "neighbour principle" in Donoghue v. Stevenson.

9. Which is a classic case involving the tort of misfeasance in public office?

A. P & O Steam Navigation v. Shand

B. Ashby v. White

C. Hedley Byrne v. Heller

D. Wagon Mound

Answer: B

Explanation: In Ashby v. White, a public official wrongfully denied a citizen's right to vote, giving rise to this tort.

10. Which best explains "trespass ab initio"?

A. Entry without permission

B. Lawful entry followed by unlawful act

C. Refusal to vacate upon request

D. Accidental intrusion

Answer: B

Explanation: A lawful entry becomes wrongful from the beginning if the person later abuses that authority.

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