BLOGS

Sectional Test on Law of Torts for CLAT PG

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This sectional test on the **Law of Torts** is tailored for CLAT PG aspirants aiming to deepen their understanding of key tort law principles. Covering core concepts such as defamation, negligence, strict and absolute liability, false imprisonment, and foundational legal maxims.

The explanations provided at the end draw from authoritative sources and case law, making this a reliable tool for concept clarity and exam practice.

Q1. In an action for defamation, the defendant must prove which of the following as a valid defense?

A. The statement was true and in public interest

B. The plaintiff has a bad reputation

C. The statement was made without malice

D. The plaintiff suffered no financial loss

Q2. The landmark judgment of Donoghue v. Stevenson primarily established the principle of:

A. Strict liability

B. Nuisance

C. Duty of care in negligence

D. Vicarious liability

Q3. The defence of volenti non fit injuria fails when:

A. The plaintiff had knowledge of the risk

B. The risk was willingly accepted

C. The plaintiff was compelled to act under legal or moral obligation

D. The injury was foreseeable

Q4. In tort law, which of the following best explains “composite negligence”?

A. Negligence shared between plaintiff and defendant

B. Negligence of a single party causing damage to multiple persons

C. Negligence of two or more persons causing the same damage to a third party

D. Negligence between employer and employee

Q5. Which of the following torts does Rylands v. Fletcher deal with?

A. Malicious prosecution

B. Vicarious liability

C. Strict liability

D. Trespass to land

Q6. In an action for false imprisonment, what is not necessary for the plaintiff to prove?

A. Physical injury

B. Intention of the defendant

C. Complete restraint of liberty

D. Lack of lawful justification

Q7. “Res ipsa loquitur” is a rule that:

A. Shifts the burden of proof to the defendant in certain negligence cases

B. Establishes the standard of care in all torts

C. Removes the requirement of causation

D. Is applicable only in criminal law

Q8. A defamatory statement made only to the plaintiff and to no third person is:

A. Libel

B. Slander

C. Not actionable

D. Actionable per se

Q9. The maxim ubi jus ibi remedium means:

A. Every injury must be punished

B. Where there is a wrong, there is a remedy

C. Let the buyer beware

D. The thing speaks for itself

Q10. In India, the principle of absolute liability was laid down in:

A. *M.C. Mehta v. Union of India* (Oleum Gas Leak Case)

B. *Rylands v. Fletcher*

C. *State of Rajasthan v. Vidhyawati*

D. *Donoghue v. Stevenson*

Answer Key with Detailed Explanations

Q. No.	Answer	Explanation
1	A	In defamation, truth alone is not sufficient unless it is also in the public interest. This is a valid defense (Bangia, Ch. 18).
2	C	Donoghue v. Stevenson (1932 AC 562) introduced the concept of duty of care in negligence. Lord Atkin's "neighbour principle" is key.
3	C	If the plaintiff had no real choice (legal/moral compulsion), consent is not voluntary – so volenti non fit injuria doesn't apply.
4	C	Composite negligence arises when multiple defendants contribute to one harm (Winfield, Ch. 10).
5	C	Rylands v. Fletcher (1868) created the doctrine of strict liability for escape of dangerous substances (Bangia, Ch. 21).

6	A	For false imprisonment, actual physical injury is not required; only wrongful restraint must be shown. (Ranganayaki v. A.V.S. Narayanan, AIR 1959 Mad 527)
7	A	Res ipsa loquitur = “the thing speaks for itself” — presumption of negligence based on circumstances (e.g., falling barrel case).
8	C	Communication to a third party is essential in defamation. A statement made only to the plaintiff is not actionable.
9	B	The maxim ubi jus ibi remedium means “where there is a right, there is a remedy,” foundational in tort law.
10	A	M.C. Mehta v. UOI (1987) laid down the absolute liability doctrine, stricter than Rylands v. Fletcher, for hazardous industries.