BLOGS

Sectional Test on Law of Torts for CLAT PG

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1. Which section of the Limitation Act, 1963, defines Tort?

1. Section 2 (c)
2. Section 2 (d)
3. Section 2 (n)
4. Section 2(m)

2. According to which influential scholar, is it ‘Law of Tort’ and not ‘Law of Torts’?

1. Salmond
2. Winfield
3. CJ Holt
4. CJ Pratt

3. The tort of inducement of the concept of breach of contract has its origin in which landmark case?

1. Pasley.V. Freeman
2. Rookes.V. Barnard
3. Lumley .V. Gye
4. Winsmore .V. Greenbank

4. Which judge delivered the Gloucester Grammar School Case and in which year?

1. Justice Hankford, in the year 1411

2. Justice Pratt, in the year 1411
3. Justice Holt, in the year 1410
4. Justice Y.B. Hillary, in the year 1410

5. Which case law falls within the arena of no liability when injury is not foreseeable?

1. Ryan V. Youngs
2. S. Dhanaveni .V. State of Tamil Nadu
3. Latimer .V. AEC Limited
4. Fardon .V. Harcourt Rivington

6. Whether public nuisance is punishable under criminal law?

1. Yes
2. No
3. It is punishable under both the law of torts and criminal law
4. Private nuisance is punishable under criminal law

7. Is slander a crime under English criminal law?

1. Yes, slander is a crime under English criminal law
2. No, it is not a crime under English criminal law
3. It is a civil wrong under English criminal law
4. It is not a civil wrong under English criminal law

8. What is the position of slander and libel under Indian criminal law?

1. They are criminal offences under section 356 of BNS, 2023
2. They are criminal offences under section 499 of the IPC, 1860
3. Both the above-mentioned options

4. They are not criminal offences under Indian criminal law

9. The concept of absolute privileges is recognised in which cases?

1. Parliamentary Proceedings cases
2. Judicial Proceedings cases
3. Both the above-mentioned options
4. Qualified privilege

10. The Wagon Mound Case was decided on which test?

1. The test of reasonable foresight
2. The test of directness
3. Both the above-mentioned options
4. None of the above

11. Which case gave the principle of no escape and hence no liability?

1. Read .V. Lyons
2. Rylands .V. Fletcher
3. Nichols .V. Marshland
4. Carstairs .V. Taylor

12. In which did the principle of absolute liability evolve in India?

1. MC Mehta .V. Union of India
2. Bhopal Gas Tragedy Case
3. Taj Trapezium Case
4. Lloyd .V. Grace, Smith and Co.

13. What is the meaning of the Latin maxim, ‘qui facit per alium facit per se’?

1. He who does an act through another is deemed in law to do it himself
2. Let the principle be held liable
3. Where there is a right, there is a remedy
4. No one should be the judge in their own cause

14. Which article of the Constitution of India provides for the state’s liability?

1. Article 201
2. Article 300
3. Article 309
4. Article 301

15. Under English Law, under which act a king is held liable for a tort committed by its servant just like a private individual?

1. Public Generals Act, 1920
2. Criminal Justice Act, 2003
3. Crown Proceedings Act, 1947
4. Building Safety Act, 2022

Answer

1. 1. Option 4 (Tort means a civil wrong which is not exclusively a breach of contract or breach of trust)
   2. Option 2 (It was stated by Winfield as a particular individual will be held liable if he does not give lawful justification)

3. Option 3 (It was decided in the year 1853(2E& B216) which led to the inducement of breach of contract within law of torts)
4. Option 4 (This case is based on the principle of Damnum Sine Injuria)
5. Option 1 (In this case an accident occurred which led to the death of the defendant's servant. It was held that the accident occurred due to act of god and the defendant was not held liable for the same)
6. Option 1 (It is punishable under criminal law to avoid multiplicity of suits)
7. Option 3 (Libel is a criminal act and slander is civil wrong under English criminal law)
8. Option 3 (They are mentioned as criminal offences under the name of criminal defamation under BNS, 2023 and IPC, 1860)
9. Option 3 (Absolute privilege is recognised as both parliamentary proceedings and judicial proceedings)
10. Option 1 (It was decided under the test of reasonable foresight. As per this test if the consequence of a wrongful act can be foreseen by a reasonable man then it is not a remote in nature)
11. Option 1 (In this case, the principle of Rylands .V. Fletcher was not applied as the defendant was not liable as there was no escape of any thing outside the premises of the defendant)
12. Option 1 (Evolved in the case of MC Mehta .V. Union of India, popularly known as the Oleum Gas Leak case)
13. Option 1 (This latin maxim is used to understand the principle of master servant relationship)
14. Option 2
15. Option 2