

International Islamic University Chittagong

Department of Law

Semester End Examination: Spring - 2023

Program: LL.B. (Hons.)

Semester - 1st

Course Title: Law of Torts & Consumer Protection

Course Code: Law- 1103

Time: 2.5 hours

Full Marks: 50

Answer the followings questions:

1. (a) Define the term 'Nuisance' along with its remedies. Distinguish between public nuisance and private nuisance.

(b). The plaintiff resided in a house next to the temple of which the defendant was the pujari. The temple bell kept ringing all hours of the day and night. Causing annoyance to the plaintiff. Is the defendant liable? (7+3)

2. (a) What do you understand by trespass to land? How many ways a trespass to land may be committed?

(b) Explain the principle "Trespass ab – initio" with case reference. (5+5)

3. (a). Explain the term 'assault' and 'battery' with essential. Draw a distinction between assault and battery.

(b). What are the defenses in an action of assault and battery? (7+3)

4. (a). "The person who for his own purpose, brings on his land and collects and keeps there anything likely to mischief if it escapes, must keep it in its own peril" Discuss the statement by assessing the liability in reference with Ryland Vs. Fletcher' case with exceptions.

(b). A tree, which did not impede or obstruct the highway, fell down recently on a road, killing the driver and one of the occupants of a motor-bus belonging to a cinema company, which happened to be passing by it. The personal representatives of the two men who are killed, and the cinema company, intend filing an action for damages against the owner of the tree. Will they succeed? Will it make any difference if the tree actually impeded the highway? (7+3)

OR

Illustrate the functions of the authority for food safety as per the provisions of the Food Safety Act 2013. Explain the different offences with punishment under the Food Safety Act 2013. (10)

5. Make an idea upon the term 'Consumer'. Explain the establishment of the National Consumers' Right Protection Council (NCRPC) along with its functions under the Consumer Rights Protection Act, 2009. (10)

Or

Explain the term 'anti-consumer right practice'. Elucidate the civil and criminal remedies available for the victims under the Consumer Rights Protection Act, 2009. (10)