

24 NOV 2025

NATIONAL LAW UNIVERSITY, JODHPUR
End Term Examination August - December, 2025

Semester: UG I Semester

Subject: Law of Torts (Compulsory)

Time: Three Hours

Marks:100

Instructions:

1. All questions carry equal marks.
2. The paper consists of six questions. Attempt any five out of six. Write the question number of the attempted question, carefully.
3. Substantiate your answers with the use of relevant case laws.
4. If the students think any fact is missing, they are allowed to make assumptions. However, any such assumptions made, must be clearly stated in the answer.
5. Adhere to the prescribed word limit for each answer- 500 words

Q1) Royal Carnival Hotel, employs Mr. Surya as a chauffeur to drive guests to and from the airport in the hotel's luxury car. One evening, Surya was instructed to pick up a guest from the airport at 7:00 PM. On his way, he took a deviation to buy cigarettes from a stall. While reversing the car, he hit a pedestrian, Joe, causing him serious injuries. Joe filed suit against Royal Carnival Hotel, claiming compensation for negligence, arguing that the hotel is vicariously liable for the act of Surya. Hotel contended that the accident occurred because of a deviation, which was outside the scope of employment. Determine whether Royal Heritage Hotel can be held vicariously liable for injury caused to Joe by Surya. (Marks 20)

Q2) "The standard of care in negligence is that of a reasonable person". Evaluate this standard and examine whether "the degree of care depends upon the kind of services offered by the defendant and consideration charged from the plaintiff" or is it "uniform degree of care for all" using relevant case laws. (Marks 20)

Q3) Arun hosted a private movie screening for his friends at his home theatre. Prior to the screening, he expressly instructed them not to enter any other part of the house, as his parents were very particular about their privacy. During the intermission, finding the washroom attached to the home theatre occupied, Ted, one of the guests, entered an adjoining room to use its washroom so as not to miss the remainder of the film. On finding out that Ted had entered that room, Arun accused him of trespass, while Ted argued that he had no intention to trespass and had caused no harm to Arun or his property. Examine whether Ted's conduct amounts to trespass to land, with reference to relevant legal principles and case law. (Marks 20)



over eight years and was finally released only in April 2025 after a newspaper brought his case to light. During his period of unlawful detention, he suffered severe mental trauma and loss of livelihood, and his family was forced to live in poverty. After his release, he plans to file a suit in the court seeking compensation for his illegal detention. Discuss: **(10 *2= Marks 20)**

- i. Whether Raghvendra's continued detention, while he was already in jail, constitutes false imprisonment under the law of torts?
- ii. Remedies for false imprisonment.

Q5) Examine whether the work of medical professionals fall within the scope of the term "service" under the Consumer Protection Act. Critically analyse how the law differentiates between paid and free medical services, along with the judicial reasoning that established this distinction. **(Marks 20)**

Q6) Write a short note on following: **(10*2= Marks 20)**

- (i) Contemporary relevance of the doctrine of Absolute Liability in India.
- (ii) Comparative analysis of Assault and Battery as distinct yet related torts.