



**The Islamia University of Bahawalpur**  
**DEPARTMENT OF LAW**  
**Mid Term Examination**

Paper Type :	Objective	Subject :	Law of Torts – I
Instructor :	Amjad Hussain	Class :	LL. B 5-year (2nd Semester)
Marks :	10	Duration :	10 Minutes
Date :	25 – 11 – 2019	Time :	10:45 AM

Name: \_\_\_\_\_ Roll No. \_\_\_\_\_ Marks:

Q. No. 1 Tick (✓) the most appropriate option for the given statements. Cutting/Erasing is not allowed. Ticking more than one options would be marked as zero.

01. Pakistani Law of Torts is based on \_\_\_\_\_.

- (a) Common Law (b) Statutory Law

02. Civil and criminal proceedings can be initiated if the act committed is both tort and crime.

- (a) True (b) False

03. The Common Law was originated in France.

- (a) True (b) False

04. Originally, “Tort” is a \_\_\_\_\_ word.

- (a) Latin (b) French

05. A wrongful act, which is both a tort and a crime at the same time, is called.

- (a) Tort (b) Felonious tort

06. ‘Tort’ is breach of \_\_\_\_\_.

- (a) Right in rem (b) Right in personam

07. The Islamia University of Bahawalpur cannot sue for a tort.

- (a) True (b) False

08. The Prime Minister of Pakistan cannot be sued for a tort.

- (a) True (b) False

09. The owner of a dog has a qualified right over the dog.

- (a) True (b) False

10. The tenant of a house has an absolute right over the house.

- (a) True (b) False



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<b>Marks :</b>	<b>20</b>	<b>Duration :</b>	<b>60 Minutes</b>

**Q. 2 Please give an example of the following terms. (10 Marks)**

- (a) Malfeasance
- (b) Mis-feasance
- (c) Non-feasance
- (d) Injuria Sine Damnum
- (e) Damnum Sine Injuria

**Q. 3 What is the benefit of study of law of torts? Explain. (10 Marks)**



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## Final Term Examination

Paper Type :	Objective	Subject :	Law of Torts – I (LAWS-02206)
Instructor :	Amjad Hussain	Class :	LL. B 5 – year (2nd Semester)
Marks :	20	Duration :	20 Minutes
Date :	08 – 02 – 2020 (Saturday)	Time :	11:30 AM

Name: \_\_\_\_\_ Roll No. \_\_\_\_\_

Q. No. 1 Tick (✓) the most appropriate option for given statements.

01. Polka was walking near the Vanilla's shop when a barrel of flour fell on him from a window above the shop. There was no evidence to connect the Vanilla or her servants with the accident. Was the Vanilla liable in negligence?

a) Yes                                          b) No
02. X was driving his car when his car's tire blew out and caused him to hit Y. Y sued X to recover damages as a result of the accident. X's tires were found worn out. Was X liable in tort?

a) Yes                                          b) No
03. Seema called on Dr. Saqib when she went into labor. Saqib was tired, so he called a non-medical assistant to help him with equipment. Seema thought the assistant was a medical assistant, so she allowed him to be there during the delivery (held his hand and such). Seema sued Saqib for battery when she realized that the assistant was not a doctor. Was Saqib liable?

a) Yes                                          b) No
04. Hurst purchased a ticket for a seat at a cinema but was forcibly turned out of his seat by the Head of Security (employee of the cinema owner), who acted under a mistaken belief that he, perhaps, had not paid for his ticket. Hurst sued the cinema owner. Was the owner liable?

a) Yes                                          b) No
05. On 1st. April, Shahid informed Nimi that his son got injured in a road accident. Nimi got heart attack and was taken to the emergency. Later, Nimi brought an action for damages. Shahid pleaded that it was just April fool. Was Shahid liable to pay damages?

a) Yes                                          b) No
06. Akhtar and Babar were friends. They used to play safe pranks with each other. One day, Akhtar pointed a gun towards Babar to frighten him. Akhtar thought the gun was empty but it was loaded. Babar guessed it as a prank and asked Akhtar to pull the trigger. After a few moments' conversation, Akhter pulled the trigger. Babar got injured and sued Akhtar for damages. Who was liable to pay/contribute the damages?

a) Akhtar                                      b) Babr                                      c) Both
07. Nehro, a boy of 5 years, moved a chair on which Ruth was going to sit. When she did, she fell, sustaining injuries. Ruth brought an action for battery. Was the boy liable to pay damages?

a) Yes                                          b) No
08. Mack was passenger in Jack's car. Jack lost consciousness while driving and hit a tree, injuring Mack. Jack claimed he had no history of losing consciousness and that he did not anticipate it. Was the Jack liable in negligence?

a) Yes                                          b) No
09. A hoodlum robbed someone, ran away and jumped in the back of Dany's cab, put a gun to his head, and told him to drive. Dany slammed on his brakes suddenly and jumped out of the car, without putting the emergency brake on; so, the cab continued to roll. It hopped the sidewalk and hit Noshi and her two children and caused them minor injuries. Noshi sued Dany in negligence. Was Dany liable in negligence?

a) Yes

b) No

10. Sara (while she was sunbathing) was run over by a car negligently by the defendant causing injury to her legs. After three years of the incident, Sara has brought an action against the defendant for damages for loss and injury caused by negligence of the defendant in driving the motor-car. Will Sara succeed to get the damages?

a) Yes

b) No

11. Aslam attacked Zahid for the purpose of snatching his mobile phone. Aslam committed assault.

a) True

b) False

12. Zahid injured Aslam in self-defense. Zahid committed assault.

a) True

b) False

13. Waseem's horse escaped on the land of Qadeer. Qadeer while trying to protect his house suffered no personal injuries but sued Waseem. Was Waseem liable to pay damages.

a) Yes

b) No

14. Naina is liable for reducing the price of her dresses to cause intentional loss to Reema.

a) True

b) False

15. A hotel locked a customer in a store till payment of the bills. The customer was released after he delivered his golden chain. Was the hotel liable for false imprisonment?

a) Yes

b) No

16. Simba (at a village gathering) threatened to get off the ear-rings which Salma was wearing, for recovery of money. Someone paid the money on behalf of Slama and Simba left quietly. Slama brought an action for assault. Was Simba liable for committing assault?

a) Yes

b) No

17. Huzaifa ate a banana and threw its peel on the floor at the platform of Railway Station of Bahawalpur. Later, he slipped and fell on the same banana peel. Teefa was duty bound to observe and remove whatever was upon the platform to interfere with the safety of travelers? Who was liable to pay/contribute the damages?

a) Only Teefa was liable

b) Both were liable

c) Only Huzaifa was liable for his loss

18. Huzaifa ate a banana and threw its peel on the floor at the platform of Railway Station of Bahawalpur. Later, Nadir (another passenger) slipped and fell on the same banana peel. Teefa was duty bound to observe and remove whatever was upon the platform to interfere with the safety of travelers. Who was liable to pay/contribute the damages?

a) Teefa

b) Huzaifa

c) Nadir

d) Teefa & Huzaifa

e) All were liable

19. Banty and Babbly were racing on a public road. The cars of both were side by side on a 2-lane road going twice the speed limit. Zardari was driving towards them. Banty tried to avoid the accident but hit Zardari's car and injured him. Bubbly's car never hit Zardari's car. Who was liable for tort?

a) Banty

b) Both Banty and Babbly

20. Malka was driving her car on the wrong side of the highway when she collided with and injured Teepu. Malka saw a light on the back of her car and thought God was directing her. She followed it. Malka saw Teepu's car and thought that she could fly if she ran into it faster (like Batwoman). It was found that she suffered a schizophrenic reaction. Teepu sued Malka for damages in negligence. Was Malka liable?

a) Yes

b) No



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<b>Marks :</b>	<b>30</b>	<b>Duration :</b>	<b>90 Minutes</b>

#### **Q. 2 Explain the following cases:**

**(14 Marks)**

- (a) Vaugan v. Menlove, (1837) 132 ER 490 CP
- (b) Donoghue v. Stevenson, 1932 AC 562
- (c) Attia v. British Gas Corporation, 1988 QB 304
- (d) Pointing v. Nookes, [1894] 2 QB 281
- (e) Sharp v. Powell., [1872] LR 7 CP 253
- (f) Bolton v. Stone, 1951 AC 850
- (g) Carmarthenshire CC v. Lewis, 1955 AC 549

#### **Q. 3 (a) Discuss in detail the Mitigating factors?**

**(08 Marks)**

#### **Q. 3 (b) Discuss in detail the law of Vicarious Liability?**

**(08 Marks)**



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