

## **First Year – First Semester**

### **COURSE – III: LAW OF TORTS**

#### **Objectives:**

This course is designed to study the principles of Tortious liability, the defences available in an action for torts, the capacity of parties to sue and be sued and matters connection there with. Further, this course is designed to study specific torts against the individual and property. With rapid industrialization, inadequacy of the law to protect the individual is exposed. An attempt shall be accorded to the individuals against mass torts and industrial torts. Keeping in the expensive character of judicial proceedings, the students should reflect on the alternative forms, and also the remedies provided under the Consumer Protection Act, 1986.

#### **COURSE CONTENTS:**

##### **UNIT-1**

Evolution of law of torts – Nature and scope of law of torts – Meaning – Torts distinguished from Contract – Crime – Development of Ubi Jus ibi Remedium – Mental elements – Intention, Motive, Malice in Law and in Fact.

##### **UNIT-II**

General Defences, Vicarious Liability.

##### **UNIT-III**

Negligence; Nuisance; Absolute and Strict liability.  
Legal remedies – Awards – Remoteness of damage.

##### **UNIT-IV**

Torts against person; Torts affecting body – Assault, Battery, Mayhem and False Imprisonment; Torts affecting reputation – Libel and Slander, Torts affecting freedom – Malicious Prosecution, Malicious Civil Action and Abuse of Legal Process; Torts affecting domestic and other rights – Marital Rights, Parental Rights, Rights to service, Contractual Rights, Intimidation and Conspiracy; Torts against property.

##### **UNIT-V**

Consumer Protection Act, 1986

**Prescribed Books;**

Ratanlal and Dhirajlaw – Law of Torts.

Singh Gurubax – Law of Consumer Protection.

**Reference Books:**

Winfield and Jolowicz – Tort

Hepple and Mathews – Tort: Cases and Materials

Baxi Upendra and Danda Amita – Valiant victims and Lethal Litigation – The Bhopal case, 1990

Salmond – On torts.

Avtar Singh – The law of Torts

D.N.Saraf – Law of consumer Protection in India.