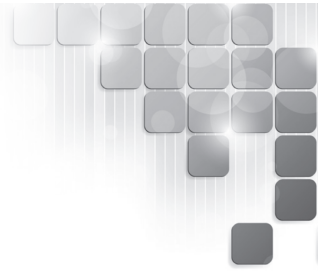


Contents



	PAGE
About the Author	<i>1-5</i>
About the Book	<i>1-7</i>
Preface	<i>1-9</i>
Chapter-Heads	<i>1-11</i>

1

LAW OF TORTS: NATURE AND DEFINITION

1.1	Definition of Torts	<i>1</i>
1.2	Elements of a Tort	<i>2</i>
1.3	Nature of Law of Torts	<i>5</i>
1.4	Objectives of the Law of Torts	<i>7</i>
1.5	Parties to Tort	<i>8</i>
1.6	Components to Establish a Tort	<i>8</i>
1.7	Types of Torts	<i>14</i>
1.8	Is it Law of Tort or Law of Torts? The controversy and theories	<i>19</i>
1.9	Conclusion	<i>21</i>
	REVIEW QUESTIONS	<i>21</i>

2

CAPACITY

2.1	Capacity or standing	<i>22</i>
2.2	Minors and torts	<i>24</i>
2.3	Capacity of husband and wife	<i>32</i>
2.4	Alien enemy	<i>35</i>

	PAGE
2.5 Corporation	35
2.6 Joint Tortfeasors: The concept	38
REVIEW QUESTIONS	42

3

RULES OF THE LIABILITY: STRICT LIABILITY AND ABSOLUTE LIABILITY

3.1 Strict liability	44
3.2 Absolute liability	57
REVIEW QUESTIONS	63

4

VICARIOUS LIABILITY

4.1 The doctrine of vicarious liability	65
4.2 Types of vicarious liability	66
REVIEW QUESTIONS	101

5

DEFENCE IN TORTS

5.1 Types of defences to various torts	104
REVIEW QUESTIONS	132

6

TRESPASS

6.1 Definition	135
6.2 Trespass to land	139
REVIEW QUESTIONS	165

7

TRESPASS-II

7.1 Civil assault	167
7.2 Battery	172
7.3 False imprisonment	182
7.3A Who can sue?	184

	PAGE
7.3B Who can be sued?	<i>185</i>
REVIEW QUESTIONS	<i>193</i>

8

TRESPASS-III

8.1 Elements required to prove trespass to chattels	<i>194</i>
8.2 Conversion	<i>198</i>
REVIEW QUESTIONS	<i>203</i>

9

DEFAMATION

9.1 Defamation: Definition	<i>204</i>
9.2 Essentials of defamation	<i>210</i>
9.3 Defences	<i>223</i>
REVIEW QUESTIONS	<i>232</i>

10

NEGLIGENCE

10.1 To commit the tort of negligence, there are primarily three main essentials	<i>235</i>
10.2 Medical negligence	<i>256</i>
10.3 Defences in negligence	<i>261</i>
10.4 Composite negligence	<i>269</i>
REVIEW QUESTIONS	<i>274</i>

11

NUISANCE

11.1 Definition	<i>276</i>
11.2 Essentials to constitute nuisance	<i>279</i>
11.2A Who may sue?	<i>286</i>
11.2B Who may be sued?	<i>287</i>
11.3 Classification of nuisance	<i>287</i>
11.4 Defences	<i>299</i>

	PAGE
11.5 Remedies for nuisance	302
REVIEW QUESTIONS	303

12

LEGAL REMEDIES IN TORTS

12.1 Judicial remedies	306
12.2 Extra-judicial remedies	329
12.3 Equitable remedies	330
12.4 Distress-Damage-Feasant	331
12.5 Remedies under Constitution (Articles 32 and 226)	332
REVIEW QUESTIONS	333

13

MOTOR VEHICLES ACT, 1988: HISTORY, OBJECT, SCOPE AND SALIENT FEATURES

13.1 History	335
13.2 Concept and meaning of accident	340
13.3 Salient features of Motor Vehicles Act, 1988 relating to awarding of compensation in Motor Accident Cases	343
13.4 Few of the recent cases are enlisted below	364
13.5 Motor Vehicles (Amendment) Bill, 2017	369
REVIEW QUESTIONS	372

14

CONSUMER PROTECTION AND LAW OF TORTS

14.1 Consumer torts	374
14.2 Consumer Protection Council	386
14.3 Recent case law	397
14.4 The Consumer Protection Bill, 2017	406
REVIEW QUESTIONS	407