

TILAK MAHARASHTRA VIDYAPEETH, PUNE
BACHELOR OF LAWS (LL.B.) (Three Years Semester Pattern)/
B.A. LL.B. (FIVE YEARS INTEGRATED LAW COURSE)
(SEMESTER PATTERN) CREDIT SYSTEM
EXAMINATION : MAY - 2026
SECOND/SIXTH SEMESTER
Sub.: Health Care Law (LW-205/6005)

Date : 11/05/2026	Total Marks : 60	Time: 10.00 am to 12.30 pm
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Instructions: 1) All questions are compulsory.
2) Figure indicate to the right full marks.

Q. 1. Answer the following question. (15)

A) Discuss the concept of the Right to Health as a Fundamental Right under the Indian Constitution. Explain its constitutional basis and scope, with supporting case laws and illustrations.

OR

B) Discuss the remedies available to patients in cases of medical negligence. Explain how the Law of Torts, and Consumer Protection Law provide relief to victims, supporting your answer with relevant case laws and illustrations.

Q. 2. Answer the following question. (15)

A) Analyse the legal responsibilities of medical practitioners under the Transplantation of Human Organs Act, 1994, and the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994. Explain the consequences of violations with relevant case laws and illustrations.

OR

B) Explain the role of consent in medical practice, including its types, importance, and exceptions. How does valid consent protect both patients and medical practitioners? Support your answer with relevant case laws and illustrations

Q. 3. Write Short Notes. (any four) (20)

- a. Wrongful diagnosis and negligent diagnosis
- b. Healthcare as an issue at the International level
- c. Access to medical records
- d. Professional Obligations of Doctors under Indian Medicine Central Council Act, 1970
- e. Remedies for Medical negligence under Law of Crimes
- f. Essentials of Medical Negligence

Q. 4. Answer the following questions. (10)

A) Evaluate the applicability of the doctrine of *res ipsa loquitur* in medical negligence cases with reference to *Nihal Kaur v. Director PGI (1996) CPJ 112*. In this context, critically examine the nature and extent of remedies available to patients under the law of torts.

OR

B) Analyse the principles laid down in *Bolam v. Friern Hospital Management Committee* and *Bolitho v. City and Hackney Health Authority*. In the light of these decisions, discuss which principle is more suitable in the medical field? Justify your answer.