

The History of Tort law

A close-up photograph of a wooden gavel resting on its wooden block. The gavel is made of polished wood and is positioned diagonally across the frame. The background is a blurred bookshelf filled with books, suggesting a library or a courtroom setting. The lighting is soft, highlighting the texture of the wood.

The 'Law of Torts' owes its origin to the Common Law of England. It is well developed in the UK, USA and other advanced Countries. In India, Law of Torts is non codified, like other branches of law eg: Indian Contract ACT, 1872 and Indian Penal Code 1860. It is still in the process of development.

Meaning of Tort

A painting of a judge in a white and blue robe sitting at a bench, reading a document. The judge is wearing glasses and has a serious expression. The background is a plain, light-colored wall.

The term '**Tort**' means a wrongful act committed by a person, causing injury or damage to another one. A tort is a Civil wrong that can be remedied by awarding damages. The civil wrongs result in harm to a person or property.

The person who commits or is guilty of a tort is called a "tortfeasor".

The person who suffered injury or damage by a tortfeasor is called injured or aggrieved.

Tort is a common law term and its equivalent in Civil Law is "Delict".

In general, the victim of a tortious act is the plaintiff in a tort case.

As a general rule, all persons have the capacity to sue and be sued in a tort.

Tort Law provides an avenue for an injured person of a remedy. It does not provide a guarantee of recovery.

Torts

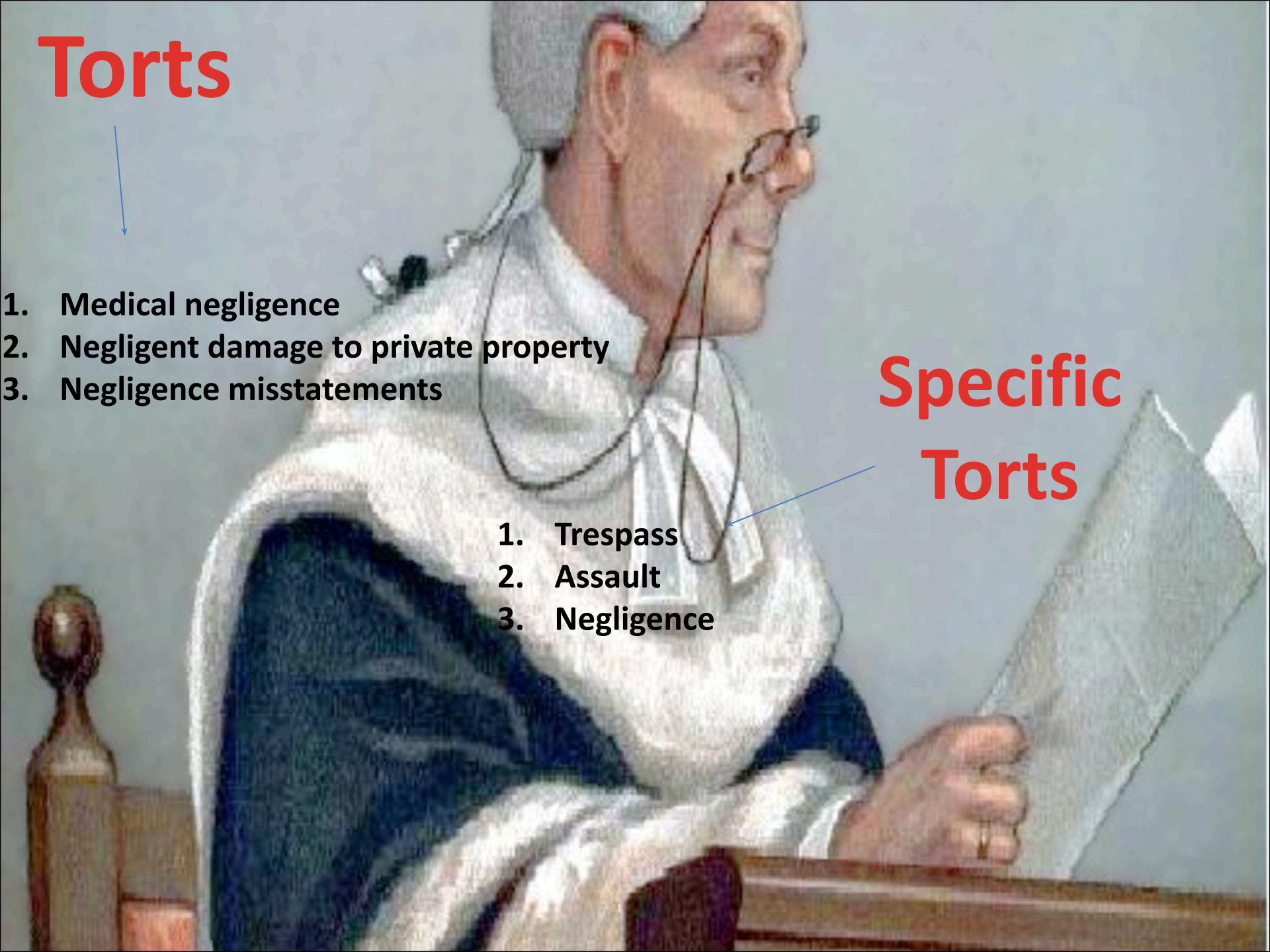


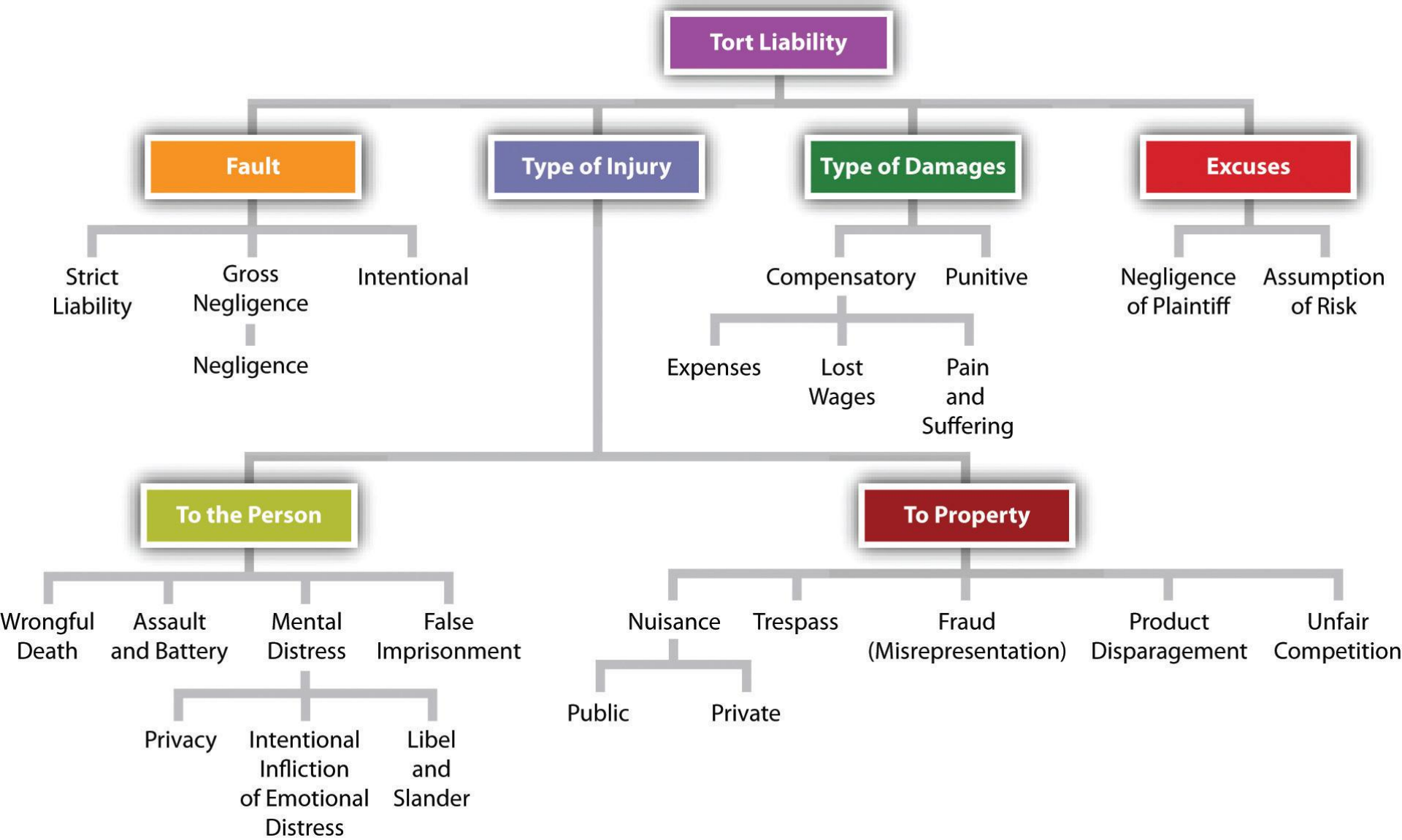
1. Medical negligence
2. Negligent damage to private property
3. Negligence misstatements

Specific Torts



1. Trespass
2. Assault
3. Negligence





The difference between Tort Law And Criminal Law



The parties involved:

The state brings an action in Crime
A private individuals bring an action in tort

The standart of proof

Higher in Criminal Law

The outcomes

A criminal action can result in conviction and punishment.
An action in tort may result in liability on the part of the defendant and damages awarded to the claimant

