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Reg. No.....

Name.....

**FIVE YEAR INTEGRATED DOUBLE DEGREE B.A., LL.B. (HONOURS)/B.B.A.,
LL.B. (HONOURS)/B.Com., LL.B. (HONOURS) DEGREE EXAMINATION
APRIL 2023**

Eighth Semester

FL 26/FL 27—INSURANCE LAW

(2018 Admissions—Regular/2015 to 2017 Admissions—Supplementary)

Time : Three Hours

Maximum : 75 Marks

Part A

Write short notes on any five of the following.

Each question carries 3 marks.

1. Contract of adhesion.
2. Concept of 'insurable interest'.
3. Insurance Regulatory and Development Authority.
4. Doctrine of 'proximate cause' in insurance law.
5. Perils of the Sea.
6. Motor Accident Claims Tribunal.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. 'A' made a proposal to an insurance company for an insurance policy on his life for Rupees Ten Lakhs. He truthfully answered all questions on the proposal form and disclosed all relevant facts. A few days later but before the proposal was accepted by the company, he died of heart attack. Is the insurance company liable ? Decide giving reasons.
8. 'P' insured his furniture and household goods in his residence on the first floor of a building against fire and burglary. There was a burglary and he claimed compensation for the loss of the things insured. The insurer refused the claim on the ground that 'P' did not disclose the fact that there was a burglary in the ground floor of the same building one year back. Decide whether the insurer is liable.

Turn over

9. An insurance company had issued an open policy to a vessel for carrying 2000 baskets of onion, on a warehouse-to-warehouse basis. Two boats carried onion from warehouse to the Ship but faced rough sea and hence were asked to return. On return, the sea became still worse, and 1200 baskets were jettisoned (thrown to sea) to save human life. The cargo insurer contended that the return journey was deviation and hence not liable for the loss suffered by the owner. Decide.
10. 'X' endorses a life insurance policy taken by him on his life to a bank as a collateral security for a loan taken from the bank. He dies without completing the repayment of the loan. His wife is the nominee on his life insurance policy. Can the bank claim the insurance amount as against the claim of his wife? Advise.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. "Subrogation and contribution are two necessary corollaries of the principle of indemnity." Explain the statement in detail with reference to statutory provisions and case law.
12. Discuss the peculiar features of Marine Insurance contracts and explain the different kinds of marine policies. What do you understand by 'actual total loss' and 'constructive total loss' in Marine Insurance? Explain the rules regarding abandonment in case of constructive total loss.
13. Define "fire" and explain the nature and characteristic features of a Fire Insurance contract. What are the 'General Exclusions' and 'General Conditions' in a Standard Fire Policy? What can be recovered as loss by fire' under a Fire policy? If the goods insured against fire are sold and subsequent to the sale destroyed by fire, to whom is the insurer liable?

(2 × 15 = 30 marks)