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Reg. No.....

Name.....

**B.A.,LL.B. (HONS.)/B.B.A., LL.B., (HONS.)/B.Com., LL.B., (HONS.)
DEGREE EXAMINATION, MARCH 2024**

Eighth Semester

FL 26—INSURANCE LAW

(2019 Admissions—Regular/2018 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. Principles of *Causa-Proxima*.
2. Assignment of insurance policy.
3. Constructive Total Loss.
4. Attachment of risk.
5. Doctrine of Reinstatement.
6. Public Liability Insurance.

(5 × 3 = 15 marks)

Part B

Answer any three of the following problems.

Each question carries 10 marks.

7. Before final acceptance of the proposal and issuance of the policy, the insurance company issued a cover note for a truck which met with an accident soon after the receipt of cover note. When a claim for total indemnity was raised, the insurance company rejected the claim stating that it had not finally accepted the proposal and no policy was issued, hence there was no liability. Decide the case citing the legal provisions and judicial decisions.
8. 'A', the insured, was not aware of the presence of a chronic illness in him when he took a policy for his life from an insurance company. On his death due to the illness, the insurance company repudiated the claim of the legal representatives stating that the fact of illness was not disclosed to the company when the deceased took the policy. Decide.
9. A ship was sailing from India to Sri Lanka. In the middle of the journey, few crew members suffered from food poisoning. Seeing that, captain deviated from the path and decided to go to Andaman, so that crew can get some treatment. While anchoring at the port of Andaman, ship's hull hit something and sustained some damage. Will the insurance money be given for this damage? Decide.

Turn over

10. A seller sells and transfers possession of his fire insured goods. He also hands over the Fire Insurance Policy with an endorsement in favour of the buyer. The goods are lost in fire immediately after transfer of possession while in the hands of the buyer. The buyer wants to claim the insurance amount. The insurance company refuses payment. Advise the buyer.

(3 × 10 = 30 marks)

Part C

Answer any two of the following questions.

Each question carries 15 marks.

11. What do you understand by 'subrogation'? What are the essential elements of subrogation? How is 'subrogation' different from 'contribution'? Explain their application in different kinds of insurance referring to statutory provisions and case law.
12. What are the essentials of a Life Insurance Contract? How does it differ from Fire and Marine Insurance contracts? What are the different types of Life Insurance policies available in India? What are the functions and powers of the Life Insurance Corporation of India? Explain in detail.
13. Explain the liability of the insurance company in case of motor vehicle accident claims. **Who is the beneficiary in case of accidents under motor insurance? What is the limitation period for filing the claim?** Explain in detail the provisions of the Motor Vehicles Act relating to compulsory insurance, Claims Tribunal and award of compensation with the help of judicial decisions.

(2 × 15 = 30 marks)