

PGDM-IBM, 2022-24
<Insurance Laws and Regulations>
<INS-103>
Trimester – I, End-Term Examination: September 2022

Roll No: _____

Time allowed: 2 Hrs
Max Marks: 40

Instruction: Students are required to write Roll No on the cover page of the Answer Sheet. All other instructions on the question paper / Admit card should be followed meticulously.

Sections	No. of Questions to attempt	Marks	Total Marks
A	Minimum four questions with internal choices and all COs (Course Intended Learning Outcomes) covered in the Question Paper	4* 5	20
B	Compulsory Case Study	2*10	20
			40

SECTION-A

(5 marks * 4 questions) = 20 Marks

A1 Law can be classified in several ways:

(a) Contrast public and private law in light of the above statement.

(CO- 1)

OR

A1 (b) English law can be distinguished from other world legal systems. In light of the above statement, briefly describe the various features of English law.

(CO- 2)

A2 Binding precedent requires a judge to base their decision on the law established in earlier cases when facts were similar.

(a) The "precedent" the judge is bound to follow is not the earlier case itself but the principles that go into establishing the case. Identify the concept of 'ratio decidendi' in the light of the above statement

OR

A2 A Precedent describes the decision based on previous legal cases. Given the above statement, identify the concept of precedent

(CO-2)

- A3. While performing eye surgery, a doctor administers the wrong medicines; as a result, the patient loses sight of one of his eyes. Identify the various provisions by which the patient can sue the doctor.)

OR

- A3 While travelling from Delhi Airport to BIMTECH Campus in Ola Cab, a student suffered injury owing to the careless driving of the cab driver. Identify the various provisions of law by which BIMTECH students can sue the reckless driver.

(CO-3)

- A4 Customer approaches a broker to issue a liability policy based on the 'tort trespass.
(a) Analyze the reasons the broker would consider while designing the policy.

OR

- A4 Trespass to a person takes different forms: Contrast Assault and Battery with a suitable example.

SECTION-B

CASE STUDY (20 Marks)

(CO- 3)

In the famous Donoghue V. Stevenson case, Donoghue was offered a bottle of ginger beer by her friend. While pouring the beer, she noticed a decomposed snail in the bottle. Since the bottle was opaque, the retailer could not find the decomposed snail in the bottle. Though she was mildly affected by the contaminated beer, she chose to sue.

- (a) Examine the basis on which Donoghue will consider before suing the wrongdoer. (5 Marks)
(b) Analyze the neighbour's principles in the context of the above case. (5 Marks)
- (c) Analyze the points other than "foreseeability" the court would often consider while deciding upon a case based on the duty of care. (10 Marks)