

<PGDM-IBM, 2016-18>

<Liability Insurance-I>

<INS-402>

Trimester – IV, End-Term Examination: September 2017

Time allowed: 2 Hrs 30 Min

Roll No: _____

Max Marks: 50

Instruction: Students are required to write Roll No on every page of the question paper, writing anything except the Roll No will be treated as **Unfair Means**. All other instructions on the reverse of Admit Card should be followed meticulously.

Sections	No. of Questions to attempt	Marks	Marks
A	3 out of 5 (Short Questions)	5 Marks each	3*5 = 15
B	2 out of 3 (Long Questions)	10 Marks each	2*10 = 20
C	Compulsory Case Study	15 Marks	15
		Total Marks	50

Section-A

- A1. A physiotherapist failed to give the patient adequate warning about the heat when giving treatment by diathermy. The omission was disastrous as the the leg of the patient had to be amputated. Did the physiotherapist exercise adequate care? Substantiate your answer in the light of Standard of Care.
- A2. A gentleman called Robin was fatally injured when a car driven by one Satish crashed into the parked van in which Robin was sitting .As a result of this accident, Robin died instantly. As a result of this death, Mrs. Robin suffered huge mental depression. She later on moved the court and demanded a compensation of Rs.10, 00000/-. Is this amount payable?
- A3. A train driver on his way to his destination saw two railway workers on the track just ahead of him. The driver applied brakes on the spur of the moment but felt that he had killed the railway workers. In reality, however, both the worker escaped unhurt .As a result of this trauma, the driver suffered nervous shock. The driver later on brought an action against the railways for Rs.5, 00,000/- on the ground that he suffered nervous shock due to their negligence. It was also found that the drive had pre-existing but symptomless heart condition. Was the Railways responsible for the damages? Justify your answer.
- A4. What is meant by Strict Liability? Justify your answer citing the rule in Ryland V. Fletcher.
- A5. Explain the common Law rule of 'Res Ipsa Loquitur' Describe the circumstances in which it is applicable

Section-B

- B1. Differentiate between Special and General Damages. Do we pay both the damages in the case of Public Liability policy? How is General damage calculated?
- B2. Describe the coverages and exclusions of Product Liability policy. Describe the 'Claim Series Event' with an example.
- B3. Describe the conditions of Product Liability policy. Describe exclusions specific to Products Liability policy.

Section-C

Case Study Compulsory:-

Palangi was a railway employee. His job was to load the quarry material in the lorry and travel along the lorry to the worksite in order to unload the quarry material. This was his routine job.

One day Palangi, while travelling in the lorry to unload quarry material saw a wild rabbit crossing the road. In his over zeal, he attempted to kill the rabbit but in the process fell down from the lorry and sustained grievous injury.

He later on moved the court and asked his employer to pay for the injuries he suffered.

- Q1. Did the act of Palangi arise out of his employment?
- Q2. Was the employer responsible for paying injury losses?
