

PGDM-IBM, 2016-18>
<Motor-II (Third Party)>
<INS-502>

Trimester – V, End-Term Examination: December-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. "Claimant not required to plead and establish the death or Permanent Disability was due to wrongful act, neglect or default of the owner". Explain this statement with example.
- A2. Briefly describe the persons covered in Section 147 of MV Act.
- A3. Briefly describe the duty of a Police in case of a road accident vis-a-vis the provisions of MV Act.
- A4. Where and when an application of compensation arising out of motor accident can be filed?
- A5. A person suffering grievous injury earning an annual income of Rs.50,000/- explores the option of filing an application for compensation. Kindly explain the best suited option giving suitable example.

Section-B

B1. Unknown terrorist planted a bomb inside a BEST bus which was parked at the bus depot, got exploded causing death of 5 persons waiting in queue in the adjacent bus-stop inside the bus depot.

Claim application for compensation is opposed on the ground that there was no negligence on the part of the driver or owner. Moreover the death was not caused due to an accident arising out of the use of the motor vehicle.

What is your take on the above decision....? Justify your decision as per the provisions of MV Act.

B2. Describe in detail the various provisions of structured compensation as provided in MV Act .What was the purpose of inserting it in the current MV Act .

B3.Explain the duty of an insurer as provided in MV Act to satisfy judgments and awards against persons insured in respect of third party risks. Also explain various defenses available to an Insurance Company.

Section-C

Case Study Compulsory:-

Deceased was 32 year old technician in a company and earning around Rs, 2,50,000/-p.a.,survived by his widow and 2 minor children,1 son aged 11 &another daughter aged 12 years, claimed compensation of Rs. 40,00,000/-,

Salary ..	Rs. 1,10,000/- p.a.
Income from 3 minibuses :	Rs. 40,000/- p.a.
Agricultural income	Rs. 80,000/- p.a.
House rent accrued to HUF	<u>Rs. 20,000/- p.a.</u>
Total :	Rs. 2,50,000/- p.a.

He was also the owner of 3 minibuses, from which he was earning around Rs. 40,000/-p.a. Though he had engaged drivers @ Rs.2,900/- p.m. to drive those vehicles, but very often he used to drive those vehicles. He was having few acres of agriculture land from which he was earning around Rs. 80,000/- p.a Income from house rent (accrue to Hindu Undivided Family) Rs. 20,000/- p.a.

Questions :-

1. Calculate the compensation based on multiplier method.
2. Calculate the compensation based on unit method.
3. Calculate the compensation based on future prospective method.
4. Calculate the compensation assuming that the deceased was a bachelor of 28 years old and survived by his parents aged 51 & 54 respectively.

Also calculate the compensation in case survived by dependent brothers and sisters in addition to parents.
