

GUJARAT NATIONAL LAW UNIVERSITY
GANDHINAGAR
 Course: **Banking & Insurance Laws and Practices**
Semester-II (Batch: 2016-18)

M.B.A. End Semester Examination: April-2017

Date: 24th April, 2017

Duration: 3 hours

Max. Marks: 60

Instructions:

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in line.
- Do not write anything on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.

	Part-A	Marks
	Answer any three of the following:	
Q.1	Explain in detail the significance of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 for banks and financial institutions for expeditious debts recovery in India.	(10)
Q.2	Explain in detail the dishonor of cheque. How territorial jurisdiction in cases of dishonor of cheque is determined? Can a payee decide when to file a complaint against drawer if the same cheque is presented multiple times? Substantiate your answer with the help of leading case laws and relevant provisions of the Negotiable Instruments Act, 1881.	(10)
Q.3	Write short notes on any two of the following: (a) Insolvency and Bankruptcy Code, 2016 (b) Mudra Bank (c) Bank Nationalization in India	(2x5= 10)
Q.4	Explain the terms 'banker' and 'customer'? Discuss in detail the general relationship between banker and customer. Substantiate your answer with the help of case laws and relevant examples.	(10)

Part-B

Answer any **three** of the following:

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| Q.5 | What are the different remedies available under the Motor Vehicles Act, 1988? Discuss the liability of the Insurer in the cases of overloading of passengers and driving the vehicle without having valid driving license? Briefly discuss the factors considered for computation of compensation based on structured formula basis. | (10) |
| Q.6 | Explain the scope of general exclusion clauses under the fire insurance contract with the help of decided cases? Whether the cause of fire is essential to prove by the Insured for claiming insurance amount? | (10) |

- Q.7 Discuss the right of the Insurer in repudiation of life Insurance contracts on the ground of non disclosure and misrepresentation clause, based on the position before and after the passing of the Insurance (Amendment) Act, 2015 with the help of decided cases. Briefly discuss the Assignment of Life Insurance Policies and their effects on Nomination? (10)
- Q.8 Explain the nature and basic essential tenets for the formation of Insurance Contracts? Briefly explain the corollary principles which enforces the rule of indemnity with the help of decided cases. (10)
