



Insurance - Insurer must show that the case falls within the exclusionary clause - Survey report - insurer must provide cogent and satisfactory reasons or grounds for not accepting the surveyors report - Ambiguity - Benefit to insured. [PLRonline 477670]

- In [insurance](#), the **insurer must show that the case falls within the exclusionary clause** of the policy.
- If there is **ambiguity**, the **contract of insurance must be interpreted in favor of the insured**.
- The insurer failed to prove that the incident and the resulting damage to the insured property was caused by the malicious act of the insured.
- Whenever an **EXCLUSIONARY CLAUSE** is included in a policy, it is the responsibility of the insurer to prove that the case falls within the scope of the clause.
- The surveyor report stated that the loss occurred due to the insured peril and the claim was admissible.
- **The insurer must provide cogent and satisfactory [reasons](#) or grounds for not accepting the SURVEYOR'S REPORT.**
- [\(2023-3\)211 PLR 068](#) (SC)
- [Full Judgment with detailed headnotes for Online Subscribers \(opens automatically\). SUBSCRIBE ABOVE](#)

Tags: [Insurance - Exclusion](#), [Surveyor report](#)