

Court No. - 40

Case :- WRIT - C No. - 36677 of 2023

Petitioner :- Bal Govind Pandey

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Chandra Kumar Rai, Shivendra Nath Singh

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Ms. Nand Prabha Shukla, J.

1. Heard learned counsel for the petitioner and Sri Ambrish Shukla, learned Additional Chief Standing Counsel for the State respondents.
2. In view of the order proposed to be passed, notices need not go to respondent no.2.
3. Present writ petition has been preferred for a mandamus directing the second respondent i.e. National Insurance Company Ltd., Branch Azamgarh to decide the claim of the petitioner in respect of the Insurance/ Claim Policy No. 452103312010002385.
4. It is contended that the petitioner's vehicle which was loaded with coal at Haldia Port (West Bengal) on 28 & 29.07.2020 and was dispatched for Bhairahawa, Nepal, unfortunately met with an accident at Chandauli (UP) on 06.08.2020 with a TP Truck. It is also claimed that in the said accident, the petitioner also sustained some injury and he was hospitalised till November, 2020. In this backdrop, the petitioner has set up a claim under Motor OD Claim Vehicle No. UP-53-ET-6189 (Goods Carrier). The said claim was entertained by the Senior Manager, National Insurance Company Ltd. and he sent a registered letter on 11.05.2022 asking certain formalities to be completed by the petitioner along with certain documents. Learned counsel for the petitioner states that in response thereof the petitioner moved a detailed representation along with requisite documents on 27.06.2022 but till date the grievance of the petitioner has not been redressed.
5. Considering the facts and circumstances of the case, without expressing any opinion on merits of the issue, we **dispose of** the writ petition with observation that in case the matter is still

pending consideration, the same shall be considered and decided by the respondents as per law expeditiously, preferably, within two months from the date of receipt of certified copy of this order.

Order Date :- 26.10.2023

Shivani