

GAHC010147652024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/2205/2024

PARESH KUMAR CHUTIA @ PORESH KUMAR CHUTIA @ PORESH CHUTIA
S/O LATE KAMAL KANTA CHUTIA @ KAMAL CHUTIA,
RESIDENT OF VILLAGE SONAPUR NAMGHAR ROAD, DULIAJAN PO AND
PS DULIAJAN, DIST DIBRUGARH, ASSAM 786602

VERSUS

THE INSURANCE OMBUDSMAN AND ANR
(STATES OF ASSAM, MEGHALAYA, MANIPUR MIZORAM, ARUNACHAL
PRADESH, NAGALAND AND TRIPURA) JEEVAN NIVESH, 5TH FLOOR,
NEAR PAN BAZAR, OVER BRIDGE, S.S ROAD, GUWAHATI 01

2:THE KOTAK MAHINDRA LIFE INSURANCE COMPANY
REPRESENTED BY THE BRANCH MANAGER
KOTAK MAHINDRA LIFE INSURANCE COMPANY CITY TOWER
H.S ROAD
DIBRUGARH
ASSAM 78600

Advocate for the Petitioner : MD. S ALOM, MR S J SHAMIM,MR. M S ALAM,MS. A BEGUM

Advocate for the Respondent : MR S DAS,

Linked Case : WP(C)/1679/2024

PARESH KUMAR CHUTIA @ PORESH KUMAR CHUTIA @ PORESH CHUTIA
S/O LATE KAMAL KANTA CHUTIA @ KAMAL CHUTIA

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DULIAJAN PO AND PS DULIAJAN
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ASSAM 786001

Advocate for : MD. S ALOM

Advocate for : MR S DAS (R-2) appearing for THE INSURANCE OMBUDSMAN
AND ANR

BEFORE
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI
ORDER

31.07.2024

Heard Mr. M.S. Alam, learned counsel for the applicant/petitioner. None appears for the respondents when the matter is called.

This is an application filed for modification of the Judgment and Order dated 18.07.2024 passed by this Court in WP(C) No. 1679/2024.

It is the specific case of the applicant that though this Court while passing the Judgment and Order dated 18.07.2024 in the open Court clearly provided that the Insurance Company shall reconsider the request of the applicant/petitioner for surrendering the subject insurance policy within a period of one month. However, the said period has been inadvertently left out in the body of the final Judgment and Order.

Accordingly, the instant application has been filed for adding the one month time period within which the respondent No. 2/Insurance Company shall reconsider the subject request of the applicant, as provided in para 13 the aforesaid Judgment and Order.

Heard the applicant and perused the materials available on record.

It appears that 'the period of one month' has been inadvertently left out in the body of the Judgment and Order dated 18.07.2024, which was dictated in open Court in presence of both the parties, in the writ petition.

Accordingly, in the interest of justice, it is provided that in paragraph 13 of the Judgment and Order dated 18.07.2024 in WP(C) No. 1679/2024, the words 'within a period of one month from the date of receipt of the certified copy of this order' be added at the end after the word 'humanitarian approach'.

The Interlocutory Application stands disposed of.

Accordingly, this order shall be considered to be apart of the earlier Order dated 18.07.2024 passed by this Court.

JUDGE

Comparing Assistant