

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.998 of 2014

In
Civil Writ Jurisdiction Case No. 2010 of 2013

=====

1. Laxman Ram Son Of Late Karoo Resident Of Mohalla Belthan P.S.
Bakhtiyarpur, Dist. Patna

.... Petitioner/s

Versus

1. State Of Bihar Through Mr. Abhijeet Sinha The Principal Secretary,
Urban Development Department, Govt. Of Bihar, Patna
2. Kuldeep Narayan, The Municipal Commissioner/Patna Municipal
Corporation, Budh Marg, Maurya Lok, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Respondent/s : Mr. Satendra Rai, AC to SC 30

Mr Ranjeet Kumar Pandey

Mr Rajeev Ranjan Sinha

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

5 14-01-2015

Since Patna Municipal Corporation has failed and not in a position to provide clear and cogent evidence to the Life Insurance Corporation that contribution was made under the master policy holder scheme including the claim of one late Phulwanti @ Raso, the Court cannot fix any responsibility upon LIC to pay any benefit under the said policy, especially when they have clearly and categorically provided evidence that such a claim did not appear in the list forwarded and furnished to the Corporation under the said scheme.

It will be difficult for this Court also, therefore, to pass any order in favour of the present petitioner, who claims

himself to be the legal heir of late Phulwanti. But if the above fact can be established by the petitioner before the Municipal authorities, the liability will be upon them. The Life Insurance Corporation even in accordance with law cannot be compelled to shoulder a responsibility in absence of evidence of inclusion of the wife under the master policy taken by the Corporation.

In the above circumstances, the contempt is dismissed with observation as above.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--