

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.725 of 2015

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Amarendra Prasad, Son of Dr. Bansi Prasad, Resident of House No. J / 49,
People's Co-operative Colony, Kankarbagh, P.S. - Kankarbagh, District /
Town - Patna.

.... Petitioner/s

Versus

1. The New India Assurance Company Ltd. 87, Mahatma Gandhi Road,
Mumbai through its Chairmn - cum - Managing Director.
2. Chairman - cum - Managing Director, The New India Assurance
Company Ltd., 87, Mahatma Gandhi Road, Mumbai. null null
3. Chief Regional Manager, The New India Assurance Company Ltd.
Regional office at B.S.F.C. Building, Fraser Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Prasad Singh, Adv.

For the Respondent/s : Mr. Durgesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 13-05-2016

Heard the parties.

The petitioner, who claims to have superannuated from service on 31.12.2014 from the post of Development Officer Grade-I (Marketing) of The New India Assurance Company Limited, Divisional Office No.1, Red Cross Building, Patna, has filed the present writ petition for grant of the reliefs, as enumerated in paragraph 1 of the writ petition.

This writ petition was filed way back on 12.01.2015 after service of its copy upon the learned counsel for the respondents, but till date no counter affidavit has been filed on behalf of the respondents.

In view of the nature of the grievances raised on behalf of the petitioner in the present writ petition and in view of the fact that no counter has been filed on behalf of the respondents till date, this Court is of the opinion that, instead of keeping the

matter pending before this Court, the interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation before the respondent Chief Regional Manager, The New India Assurance Company Ltd. Regional Office at B.S.F.C., Building, Fraser Road, Patna (respondent no.3) with all supporting documents and raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a fresh comprehensive representation is filed on behalf of the petitioner with a certified copy of the present order within a period of one month from today, then the respondent Chief Regional Manager, The New India Assurance Company Ltd. Regional Office at B.S.F.C., Building, Fraser Road, Patna shall be obliged to consider and decide the claims raised on behalf of the petitioner by a reasoned and speaking order, after giving an opportunity of hearing to all concerned including the writ petitioner, at an early date, preferably within a period of two months from the date of filing of such representation by the petitioner.

If on consideration of the materials and after hearing the parties, the respondent Chief Regional Manager, The New India Assurance Company Ltd. Regional Office at B.S.F.C., Building, Fraser Road, Patna comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential orders shall also be issued for grant of such admissible claims and lawful dues of the petitioner shall be paid without any unnecessary further delay.

It is clarified that this Court has not gone into the merits of the claims raised on behalf of the petitioner in the

present writ petition and it is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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