

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25024 of 2013

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1. Sangita Devi W/O Late Achhey Lal Yadav @ Achhey Kumar R/O
Village - Chharra Patti, P.S. - Shebpur Kamal, District - Begusarai

.... Petitioner/s

Versus

1. Branch Manager National Insurance Co. Ltd. Khagaria, P.S. + District - Khagaria
2. Divisional Manager National Insurance Co. Ltd. Purnia, P.S. + District - Purnia
3. Regional Manager National Insurance Co. Ltd. Patna
4. Certificate Officer, Khagaria

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-07-2016 Heard Mr. Sharma the counsel for the petitioner. No
one has appeared for the respondents.

The husband of the petitioner lost his life in an accident. A suit for payment of compensation was filed by the petitioner which, on transfer, was taken up by the Lok Adalat and an award was passed. The petitioner was directed to be paid a sum of Rs. 1,50,000/- (One Lac Fifty Thousand) with 12 % Simple Interest. For one reason or the other, the amount could not be paid which prompted the petitioner to file a certificate proceeding. A Certificate proceeding was initiated against the respondents vide certificate case no. 4 of 1999-2000.

It has been submitted that in the meanwhile the respondents made attempt to stall the proceeding by filing two

different writ petitions in this Court in which no substantial relief was granted to both the respondents. One writ petition being CWJC No. 14154 of 2002 was simply disposed of permitting the writ petitioner to ventilate its grievance before the respondent Certificate Officer whereas another writ petition being CWJC No. 2269 of 2005 filed by the Insurance Company has been dismissed for non-prosecution.

The grievance of the petitioner is that in spite of culmination of those proceeding(s) the petitioner has yet to reap the benefits of the award as the certificate proceeding has not proceeded further. On going through the records it appears that the said proceeding is pending on the file of the Certificate Officer since 2000. We are now in 2016. I find force in the submission of the counsel for the petitioner that the Certificate Officer be directed to expedite the disposal of the said proceeding.

The writ application is disposed of with a direction upon the Certificate Officer in seisin of Certificate case no. 4/1999-2000 to expedite the disposal of the proceeding without loss of further time preferably within 04 months from production of a copy of this order before the said authority/Court.

(Kishore Kumar Mandal, J)

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