IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.10081 OF 2014

Kisan S/o. Meghu Chavan
Age-60 Years, Occu:- Agri.,
R/o. Relgaon, Tq. Sillod,
Dist. Aurangabad,

...PETITIONER

VERSUS

1) The State of Maharashtra,
Through its Secretary,
Agricultural Department,
Mantralaya, Mumbai,

2) The Collector,
Aurangabad,

3) The Tahsildar,
Tahsil Office, Sillod,
Dist. Aurangabad,

4) The District Superintendent,
Agri Officer,
Shanurmya Darga, Aurangabad,

5) The Manager,
I.C.I.C.I. General Insurance Company,
Kehaw Khade Marga Zeenith House,
Mahalaxmi, Mumbai - 40034.

...RESPONDENTS

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Mr. R.P. Bhumkar Advocate for Petitioner.
Mr. V.M. Kagne, A.G.P. for Respondent Nos.1 to 4.
Mr.S.S. Patil Advocate with Mr. R.H. Dahat Advocate for Respondent No.5.

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CORAM: S.V. GANGAPURWALA AND A.I.S. CHEEMA, JJ.

DATE : 14TH MARCH, 2016

ORDER :

1. Learned counsel for the Petitioner submits that the wife of the Petitioner died due to lightening on 25th April 2005. As per the policy of the Government, the Petitioner made an application seeking insurance amount. The amount was not paid. Only an amount of Rupees One Thousand was paid. Petitioner was, all the time, pursuing with the Respondents. On 22th November 2013, Respondent No.2 directed Respondent No.3 to look into the grievance of the Petitioner, however no action is taken.

2. Mr. Kagne, learned A.G.P. submits that

the Petitioner has not annexed all the relevant documents required, and as such the application could not be processed further.

3. Mr. Patil, learned counsel for Respondent No.5 submits that claim has not been received by Respondent No.5 at all.

4. There are rival contentions about the Petitioner producing all the relevant documents. It is submitted by the learned counsel for the Petitioner that the body of the wife of the Petitioner was burnt due to lightening and was not in a position for conducting post-mortem.

5. The Petitioner may file all the relevant documents with the authorities. The authorities shall also consider the plea of the Petitioner about the body of his wife not being in a position for conducting post-mortem, on its own merits. Upon receipt of all the documents the Respondent

authorities shall process the said proposal seeking payment of insurance on account of death of the wife of the Petitioner by lightening, and forward the same to Respondent No.5. The authorities shall complete this process within period of SIX MONTHS from the date of receipt of documents from the Petitioner.

6. The Writ Petition accordingly disposed of. No costs.

[A.I.S.CHEEMA,J.] **[S.V. GANGAPURWALA, J.]**

asb/MAR16