

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.14548 OF 2016
Date of Decision: -25.07.2016

Inder Kaur

. . . . Petitioner

Versus

United India Insurance Co. and others

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.R.K. Shukla, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition has been filed to challenge the award/order dated 21.4.2015 passed by the Permanent Lok Adalat (PUS), Patiala by which an application filed by the petitioner under Section 22-C of the Legal Services Authorities (Amendment) Act, 2002 has been dismissed.

Learned counsel for the petitioner, *inter alia*, contends that the husband of the petitioner was member of the Group Personal Accident Insurance Policy obtained by State Bank of Patiala from United India Insurance Company by executing a Memorandum of Understanding, which is on record of the Court below as Ex.R-4. According to that MOU the insurance company was liable to compensate till the age of 70 years in case of death of the insured but admittedly the husband of the petitioner died at the age of 74 years and hence the claim was repudiated. It is the contention of the petitioner that respondent No.2 should not have made her husband member of the Group Personal Accident Insurance Policy and charged him for that policy.

Be that as it may, the remedy does not lie against the insurance company rather it lie against the State Bank of Patiala, which the petitioner has to prove by leading cogent evidence.

Faced with this observation, learned counsel for the petitioner prays for withdrawal of the petition in order to avail alternate remedy, if any, in accordance with law.

Dismissed as withdrawn.

Liberty granted.

25.07.2016

Vivek

(RAKESH KUMAR JAIN)
JUDGE