

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.5104 of 2013

IN

Civil Writ Jurisdiction Case No. 281 of 2012

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M/S Messina Beej Pvt. Ltd., a Company registered under the Companies Act, 1956 having its registered and Administrative Office at Tajpur Road, Samastipur, Bihar through its Managing Director, Anil Kumar Mishra, S/O Sri Date Ram Mishra, Tajpur Road, Samastipur, Bihar.

.... Petitioner

Versus

1. T.S. Vijayan, Chairman, Insurance Regulatory And Development Authority, 3rd Floor, Parisrama Bhawan, 5-9-98, Fateh Maidan Road, Basheerbagh, Hyderabad-500004.
2. M.S. Roy Chaudhary, the Executive Director, Insurance Regulatory and Development Authority, 3rd Floor, Parisrama Bhawan, 5-9-98, Fateh Maidan Road, Basheerbagh, Hyderabad- 500004.
3. Mr. R. Srinivasan, the Officer On Special Duty, Consumer Affairs Department, Insurance Regulatory And Development Authority, 9th Floor, United India Tower, 3- 5-817/818, Basheerbagh, Hyderabad 500029.

.... Respondents

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Appearance :

For the Petitioners : Mr. Mrigank Mauli, Advocate.

For the Respondents : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date: 18-03-2017

In pursuance to the order passed on 30.04.2012 in C.W.J.C. No. 281 of 2012, the show cause filed by the Insurance Regulatory and Development Authority shows that the order with regard to settling the claim of the petitioner has been passed and the claim has been settled formerly. There is delay in settlement of the claim of the petitioner and question would be as to who will be responsible for paying an amount on account of the delay.

Learned counsel for the respondents submits that so far the



claim of the petitioner is concerned, it is the Insurance Company who should be saddled with the liability of paying interest. However, in the original writ application only direction was to the competent officer of the Insurance Regulatory and Development Authority to decide the claim within a period of four months.

As the claim has already been decided by the Insurance Regulatory and Development Authority, this application is disposed of with liberty to the petitioner to claim interest for delay from the Insurance Company or any other authority who may be responsible for the delay by initiating proceeding in accordance with law.

With the aforesaid liberty, the application stands disposed of.

(Rajendra Menon, CJ)

U.K./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	24.03.2017.
Transmission Date	

