

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 1169 of 2015

In
Civil Writ Jurisdiction Case No. 3187 of 2015

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Poonam Kumari, W/o Late Ranjeet Kumar Resident of Village Naya Tola, Madhopur, P.S. Bakthiyarpur, District Patna. At present Address C/o Ramchandra Prasad Mohalla Bazar, Samiti, Main Gate, P.S. Bahadurpur, District Patna.

.... Petitioner.

Versus

1. The Union of India through the Secretary, Shri Arvind Maya Ram, New Delhi, Department of Finance.
2. The Life Insurance Corporation of India through its Chairman Shri S.K. Roy, Yogakshekma Jiwan Bima Marg Nariman Point, Mumbai.
3. The Managing Director, Life Insurance Corporation of India, Shri S.B. Mainak, Yoga kshekma Jiwan Bima Marg, Nariman, Point, Mumbai.
4. The Regional Manager, Mr. N.P. Chawla, Life Insurance Corporation of India at Frazer Road, Patna.
5. The Divisional Manager Mr. Dilip Kumar Nayak, Life Insurance Corporation of India, Begusarai.
6. The Branch Manager, Mr. Devendra Prasad Rajak, Life Insurance Corporation of India at Barh, District Patna.
7. The Assistant Administrative Officer, Mr. Anuj Kumar (Claim) at Barh, District Patna.
8. The Raj Kumar Prasad S/o Late Ritan Rai Resident of Village Naya Tola Madhopur, P.S. Bakatiyarpur, District Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Arbind Kumar, Adv.

For the Union of India: Mr. Sanjay Kumar(ASG)

For the LIC of India : Mr. Rajeev Ranjan Prasad, Adv.

: Mr. Nilanjan Chatterjee, Adv.

: Mr. Sudhanshu Trivedi, Adv.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 15.02.2017

Heard learned counsel for the petitioner and the State.



It appears that a decision has been taken by the Senior Divisional Manager, Life Insurance Corporation of India intimating the petitioner that she is not a nominee under the concerned policies and, as such, the Life Insurance Corporation is not in a position to settle the death claim in her favour as per Section 39 of Insurance Act, 1938.

Thus, in my view, since the decision has already been taken coupled with the fact that the claim has already been settled in favour of the nominee who is the father of the deceased on 27.02.2016 and a sum of Rs. 11,41, 120/- was transferred on 27.02.2016 and the rest amount of Rs. 10,94,080/- was transferred on 28.03.2016, this contempt proceeding cannot continue and, is accordingly dropped.

However, this order would not come in the way of the petitioner in pursuing her grievance before a competent forum either against the decision taken by the Life Insurance Corporation or regarding settling of the claim in her favour.

This application stands disposed of.

(Dr. Ravi Ranjan, J.)

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