IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11677 of 2015

Deomanti Devi @ Deowanti Devi, wife of Late Dukhan Bhagat, resident of village-Gere, P.O.- Manpur, Police Station- Mofasil in the district of Gaya.

.... Petitioner

Versus

1. The Life Insurance Corporation of India, through its Zonal Manager, Life Insurance Corporation, Patna Zone, Patna.
2. The Zonal Manager, Life Insurance Corporation, Patna Zone, Patna.
3. The Divisional Manager, Life Insurance Corporation of India, Patna Division Office-I, Fraser Road, Patna.
4. The Branch Manager, Life Insurance Corporation of India, Gaya Branch Office-2, Swarajpuri Road, Gaya.

.... Respondents

Appearance:
For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Respondent/s : Mr. Rajeev Ranjan Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 06-03-2017

Heard learned counsel for the petitioner and learned counsel for the Life Insurance Corporation of India.

2. The son of the petitioner namely, Sunil Kumar Pal has purchased an Insurance Policy vide Policy No.518226335 for a period of 21 years for total sum assured amount of Rs.22 lakh. The son of the petitioner felt unbearable pain, whereafter admitted in A.N.M.M.C.H. Gaya, at 9:50 am. on 22.07.0212. He was treated and returned to the house safely, but all of a sudden he died on 05.08.2012. The petitioner filed an application for death claim along with the Bond Paper as well as other prescriptions, but she is moving around with empty hand. As per the claim of the petitioner, the Insurance Company is not coming forward to make payment of the aforesaid amount.

3. A counter affidavit has been filed by the Life Insurance Corporation, where stand has been taken that the petitioner was an agriculturist having total annual income of Rs.2,60,000/-, there appears to be serious doubt that such a persons would purchase such a huge policy where annual premium is involved of Rs.1,03,000/- approximately and inasmuch as the son of the petitioner has died within two months of the purchase of the policy.

4. He further submits that the son of the petitioner had purchased second policy of Rs.2 lakh of the year 2010, has already been paid to the petitioner. It has further been stated that LIC is required of documents with regard to his treatment, but complaint has been made by the LIC that it has not received any paper with regard to treatment of the son of the petitioner.

5. Learned counsel for the Life Insurance Corporation further submitted that the information required as per Claim Form B and B1 relating to hospital treatment be furnished, for that the said form has been supplied by the LIC to the counsel for the petitioner. The information is required to be provided by the hospital authority where the son of the petitioner was treated.

6. Let the petitioner furnish information mentioned in Form B and B1 to the Divisional Manager, Life Insurance Corporation, Patna Division, Patna, within three weeks from today. If the petitioner submits the said Form within the aforesaid period, the Divisional Manager, Patna Division, Patna will be obliged to take decision in accordance with law within a period of three months from the date of submitting the form.

7. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	15.03.2017
Transmission Date	N/A.