

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.908 OF 2000

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not remitting the amounts due under the LIC policy No.642065840 dated 15.10.1993 and Group Saving Linked Insurance Scheme, as illegal and arbitrary, and consequently, to direct the respondents to pay the amount due under the LIC policy and Group Saving Linked Insurance Scheme together with interest from the date of death of the policy holder.
2. Heard Sri Sunil, learned Counsel appearing for the petitioner and Sri K. Srinivas, learned Counsel for the 5th respondent.
3. It is the case of the petitioner that her husband was an employee in A.P. TRANSCO, whereby the employer has taken Group Saving Linked Insurance Scheme for the benefit of its employees, and that while her husband was working he took Life Insurance Policy dated 15.10.1993 and that her husband died in a road accident and as such, she is entitled for the insurance amounts.
4. Learned Counsel for the 5th respondent contends that the amounts which were payable in pursuance of the policy dated 15.10.1993 were already disbursed to the petitioner, and in respect of Group Saving Linked Insurance Scheme is concerned, the employer pays the premiums, and unless and until a requisition is made by the employer, the 5th respondent cannot settle the claim. He submits that he got written instructions vide letter dated 31.10.2012 from the 5th respondent during the pendency of this

writ petition, according to which, the 5th respondent is willing to pay the Group Saving Linked Insurance Scheme amount of Rs.2,40,000/- to the petitioner as full and final settlement, and that even though the said letter was issued about five years back, the same could not be disbursed due to various factors including the one that the writ petition was not heard.

5. Today, when the matter has been taken up, the learned Counsel for the petitioner as well as the learned Counsel for the 5th respondent submitted that taking into consideration the letter dated 31.10.2012, appropriate orders may be passed. The said letter is taken on file and the same shall be made as part of the record.

6. Considering the circumstances of the case and the letter dated 31.10.2012, the Writ Petition is disposed of directing the 5th respondent to pay Rs.2,40,000/- (Rupees Two Lakhs and Forty Thousand only) to the petitioner as full and final settlement towards the claim of Group Saving Linked Insurance Scheme, within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

27th November, 2017
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27.11.2017

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