

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9974 of 2017

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Ms. Vibha Devi @ Bibha Devi, W/o Late Manoj Kumar Singh, Resident of
Village-Ugnichak, P.O.-Amrath, Dist.-Jamui.

.... Petitioner/s

Versus

1. The National Insurance Company Limited through its General Manager.
2. The Senior Divisional Manager, National Insurance Company Limited,
National Insurance Building, Ground Floor, Divisional III, 8, Sudha Exchange
Place, Kolkata-700001
3. Golden Multi Services Club of G.T.F.S. Near Marwari Awas, Frazer Road P.S.-
Kotwali, District-Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amit Bhushan, Adv

For the Respondent/s : Mr. Ashok Priyadarshi, Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 04-07-2018

The present writ petition has been filed for quashing the order
dated 12.08.2016 regarding repudiation of the claim of the petitioner
regarding the insurance amount claimed for the death of petitioner's
husband in an accident.

2. Learned counsel for the petitioner submits that the
grounds for repudiation of the insurance claim are completely
untenable and arbitrary. The insurance claim ought to have been
admitted as the petitioner had submitted all the requisite documents
as demanded by the respondents.

3. Learned counsel for the respondent-Insurance Company



raises a preliminary objection on the grounds of maintainability of the writ petition in view of various decisions of this Court passed in *LPA No. 410 of 2014 (Pramod Singh vs. The State of Bihar and Ors.)*, *C.W.J.C. No. 8989 of 2016 (Sabita Devi vs. The National Insurance Company Ltd., and Ors.)* and in the case of *M/s. Messina Beej Pvt. Limited vs. New India Assurance Comp. Ltd., 2011 (1) PLJR 646*, expressing the view that the writ petition of the present nature was not maintainable in view of the statutory remedy available.

4. The writ petition accordingly stands dismissed with liberty to the petitioner to seek redressal in accordance with any statutory remedy as may be available in accordance with law.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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