

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.970 of 2018**

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M/s Gitanjali Jewellers through its Proprietor, Ranjeet Kumar Srivastava, Son of Sri Lalan Lal resident of Meena Market P.O. & P.S. Dinara, District- Rohtas at Sasaram.

.... .... Petitioner

Versus

1. The State of Bihar, through its Senior Divisional Range, National Insurance Co. Ltd. Patna.
2. The General Manager, National Insurance Company Ltd. Patna.
3. Chief Regional Manager, National Insurance Company Ltd. Govt. of India, Patna.
4. The Zonal Manager, National Insurance Company Ltd. Regional Office Patna.
5. The Branch Manager, National Insurance Company Ltd. Satya Narayan Bhawan, Mahhvir Tola, Arra.
6. The Branch Manager, Bank of Baroda Dinara, District Rohtas.
7. The Officer Incharge, Dinara Police Station, Dinara District Rohtas.
8. The District Magistrate, Rohtas.

.... .... Respondents

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**Appearance :**

|                         |   |                                                           |
|-------------------------|---|-----------------------------------------------------------|
| For the Petitioner      | : | Mr. Prabhakar Singh<br>Mr. Ranjay Kumar Patel, Advocates. |
| For the Insurance Comp. | : | Mr. Ashok Priyadarshi<br>Mr. Sanjay Sinha, Advocates      |
| For the State           | : | Mr. Apurva Kumar, AC to GA-4                              |

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 29-03-2018**

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for quashing the order issued on 24.11.2017 by the Branch Manager, National Insurance Company Ltd., Arra whereby and whereunder the claim of the petitioner has been repudiated.

3. 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.

4. 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.

5. 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)**

Md. Ibrarul/BT

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