

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 18298 of 2018
Date of Decision: 26.07.2018

Vibha Grover

...Petitioner

Vs.

Life Insurance Corporation of India and others

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Sandeep Jasuja, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

1. By an order dated 20.07.2017, the Senior Divisional Manager (Disciplinary Authority) inflicted penalty of termination of agency of the petitioner invoking Rule 16(d) (a), (b) & (d) of the LIC of India (Agents) Rules, 1972 along with forfeiture of renewal commission payable as laid down under Rule 19(1) read with Rule 10(6) of the aforesaid Agents Rules, 1972 with effect from 22.03.2007.

2. An appeal is provided under Rule 23 of the rules against the order and the Appellate Authority is bound to decide the appeal expeditiously as possible but not later than six months as per mandate of the aforesaid rule from the date of receipt of appeal by the Appellate Authority.

3. Aggrieved by the order dated 20.07.2017, the petitioner filed an appeal on 30.10.2017. A copy of which is annexed at Annex. P-

11. This appeal is pending and no hearing has been afforded to the

petitioner so far to conclude the case as per the mandate of Rule 23. The appeal should have been decided by April 2018. The petitioner has sent reminders but to no effect. The Appellate Authority must take up the appeal and decide the same as soon as possible. The petitioner has been in litigation since 2008 without an end in sight at the hands of LIC. Keeping the appeal pending beyond the period provided in the rules is not a fair thing to do.

4. In view of above, directions are issued to the Appellate Authority to take up the appeal, call the petitioner within one week from the date of supply of copy of this order and set down a date for final hearing within one month thereafter for taking a final decision resolving the dispute in appeal.

5. In addition to objections already filed, the petitioner is at liberty to file a comprehensive defence statement before the Appellate Authority which together with the grounds of appeal will be considered and a reasoned order passed on each of the issues raised by the petitioner-appellant in support of her case for setting aside the order in appeal.

6. In making the order, the Appellate Authority will pay due regard to the decision of this Court in case Rajni Dhamri Vs. Life Insurance Corporation of India and others; 2013 (2) SCT 587, a copy of which will be supplied to the Appellate Authority by the petitioner. The speaking order passed be conveyed to the petitioner after the decision is

made.

7. With these observations and directions, the present petition is disposed of.

26.07.2018
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(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*