

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.18421 OF 2018
DECIDED ON: JULY 27, 2018

BALJEET SINGH

.....PETITIONER

VERSUS

NATIONAL INSURANCE CO. LTD AND ORS.RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jaspal Singh Maanipur, Advocate,
for the petitioner.

JASPAL SINGH, J.(Oral)

Though, the petitioner has sought issuance of a writ in the nature of mandamus yet he feels satisfied in case direction is issued to respondent No.1 to decide the statutory Memorial preferred by the petitioner under Rule 40 of the National Insurance (Conduct, Discipline & Appeal) Rules, 2012 (For short, "Rules, 2012" only).

2. A scrutiny of file transpires that against order dated 31.03.2017 (Annexure P-4) passed by the appellate authority, petitioner preferred statutory Memorial in the month of June 2017 but till date the said statutory Memorial is lying undecided. Otherwise also, petitioner stood retired on attaining the age of superannuation on 30.04.2018 and the benefits might have been withheld on account of pendency of statutory Memorial.

3. Thus, without expressing any opinion on the merits but keeping in

view the aforesaid aspects, instant petition is disposed of with the direction to respondent No.1-Chairman-cum-Managing Director, National insurance Co. Ltd., 3-Middleton Street, Kolkata (West Bengal) to take a final decision on the statutory Memorial, within a period of 6 months from the date of receipt of certified copy of this order. However, in case, any adverse order is passed, the petitioner shall be at liberty to have recourse to the remedies available under law as well as/or to approach this Court.

JULY 27, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>