

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13020 of 2019

Neeraj Kumar Mishra @ Niraj Kumar Mishra Son of Mr. Kailash Mishra,
Resident of at & P.O. Shahkund, P.S. Shahkund, District Bhagalpur.

... .. Petitioner

Versus

1. The Insurance Regulatory and Development Authority of India through its Director, Consumer Affairs Department, Parishram Bhawan, 3rd Floor, Bashirbagh, Hyderabad-500004 (Andhra Pradesh), India.
2. The Joint Director, the Insurance Regulatory and Development Authority of India Consumer Affairs Department, Parishram Bhawan, 3rd Floor, Bashirbagh, Hyderabad-500004 (Andhra Pradesh), India.
3. The National Insurance Company Ltd. 3, Middleton Street, Kolkata-700071.
4. The Divisional Manager, National Insurance Company Ltd. Bhagalpur Divisional Office, Sumrit Mandal Complex Tilkamanjhi, Bhagalpur.
5. The Divisional Manager, National Insurance Co. Ltd. Lucknow Division, IV 43, Jeevan Bhawan Phase-1, 3rd floor, Hazratganj, Lucknow-226001.
6. The Chairman and Managing Director, the National Insurance Company Ltd., 3, Middleton Street, Kolkata-700071.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Satish Chandra Mishra, Advocate
For the Respondent/s : Mr.Ashok Priyadarshi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 09-08-2019 In view of the statements made in the counter affidavit filed on behalf of the Respondent Nos. 3 to 6 that after passing of the previous order by this Court they have paid a sum of Rs. 31,950/- to the petitioner which is said to be the settled amount by the Insurance Company, this Court is not willing to proceed further in this writ application.

Learned counsel for the petitioner submits that there has been deficiency in service on the part of the Insurance Company in withholding the payment for a long time and it is



only after the contest that the Insurance Company has come out with the payment of Rs. 31,950/-. According to learned counsel, the respondent-Insurance Company is also liable to pay compensation and cost of litigation.

So far as the claim towards compensation and cost of litigation are concerned, since those are based on the alleged deficiency in service on the part of the petitioner, it is open for the petitioner to claim such compensation and cost for deficiency in service before appropriate forum in accordance with law.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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