

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5738 of 2016

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Sikandar Kumar, Son of Sri Bhutta Sah, Resident of Village- Bhawanipur,
PO- Bhatauna, PS Kudhani, district Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union Of India through its Secretary Finance Department, New Delhi.
2. Chairman, Insurance Regulatory Development Authority New Delhi.
3. The ICICI Lombard General Insurance Company Limited through its
Chairman ICICI Lombard House , 414,
4. Regional Manager, ICICI Lombard General Authority Company Limited
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-04-2019 No one appears on behalf of the petitioner. None for
the respondents is present.

After going through the records, this Court finds that
this application has been preferred for quashing the letter as
contained in Reference No.MOT/TT/August 16.11.2015 issued
by the authority of ICICI Lombard GIC Ltd. whereby the
insurance claim of the petitioner against his stolen three wheeler
vehicle has been refused on the ground that the user had parked
the captioned vehicle by leaving the key in the ignition.
Petitioner has also prayed for a mandamus directing the
respondents to make payment of the insurance claim.

In the counter affidavit filed on behalf of the



respondent no.2 a plea has been taken that the petitioner has an alternative remedy available with the Insurance Ombudsman under Public Grievances Redressal Rules, 1998.

In the aforesaid view of the matter, finding that the petitioner has got an alternative remedy to raise his claim before the Insurance Ombudsman in the light of the provisions of the Public Grievances Redressal Rules, 1998, this Court finds no reason to entertain this writ application. It is disposed off with liberty to the petitioner to seek his remedy before the appropriate forum in accordance with law. If such a remedy is applied for within a period of 30 days from today, the same will be considered by the competent authority/forum, as the case may be, on merit and shall not be dismissed on the ground of limitation.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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