

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7737 of 2016

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Mahesh Kumar S/o Sri Ram Prakash Mahto Resident of Village - Sarda Nagar, POPS- Rasera, District Samastipur, Pin-848210 at present residing in front of Judges Colony C/o Sri Siyaram Pandey, Bailey Road, PS Danapur, District Patna.

... .. Petitioner/s

Versus

1. National Insurance Co. Ltd. through Chief Regional Manager, 4th Floor, Chanakya Commercial Complex, R-Block, Birchand Patel Marg, Patna – 800001.
2. Divisional Manager Div-III, 1-Shakespeare Sarani, 6th Floor, Kolkata, 700 071
3. Sr. Divisional Manager Div-III, 8, India Exchange Place, Kolkata, 700 001
4. Divisional Manager, National Insurance Co. Ltd. P.N.T. Chwak, Mithanpura, Muzaffarpur.
5. Golden Multi Services Club GTFS , 16, R.N. Mukherjee Road, Kolkata 700 001 represented through its Branch Manager at Muzaffarpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mukesh Prasad Singh, Advocate
For Resp. 1 to 4	:	Mr. Rupak Kumar, Advocate
For the Resp. No. 5	:	Mr. Sourendra Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-04-2019 In course of the hearing of the writ application a counter affidavit has been filed on behalf of the insurance company. A plea has been taken that the petitioner had given incorrect information with regard to his occupation and income at the time of obtaining the policy of Rs. 5 Lakhs, as according to the insurance company, he would have been entitled for a policy of Rs. 4 Lakhs only which would entitle the petitioner to get Rs. 2 lakhs in full and



final settlement.

Learned counsel for the insurance company submits that the insurance company is ready to pay the admitted amount of Rs. 2 lakhs to the petitioner within a period of four weeks from today.

In the given facts and circumstances of the case, learned counsel for the petitioner submits that although the petitioner is ready to accept the amount of Rs. 2 lakhs for the present, but it should not be taken as full and final settlement of the claim of the petitioner and liberty be given to challenge the decision of insurance company to pay a lesser amount of claim.

In the aforesaid circumstances, the writ application is being disposed of with a direction to the insurance company to pay the admitted amount of Rs. 2 lakhs to the petitioner within four weeks from today. The insurance company shall also communicate the reasons for rejection of the balance claim of the petitioner within the same period and the petitioner if finds himself aggrieved by the decision of the insurance company would be at liberty to challenge the same in accordance with law before



appropriate forum.

Learned counsel for the respondent no. 5 is
present.

This writ application is disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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