

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23956 of 2019

Life Insurance Corporation of India, a body corporate established under the Life Insurance Corporation of India Act 1956 having its Central Office at Yogakshema, Junan Bima Marg, Mumbai and its one of the Zonal office at Patna, Division Office- 1 Jeevan Prakash building Frazer Road, Patna through Manager Bhola Prasad Division Office- 1, Frazer Road, Patna.

... .. Petitioner/s

Versus

1. The Chairman, Bank of India Mumbai, Star House C-5 G- Block Bandra, Kurla Complex, Bandra, East Mumbai.
2. The Regional Manager, Bank of India Patna Zone, Chanakya Palace 1st Floor, Birchand Patel Marg, Patna- 800001.
3. Branch Manager, Bank of India, Sohsarai Branch Paila Pokhar, Near Hospital More, Biharsharif, District- Nalanda, Biahir 803101.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Raj Dular Sah, Advocate
For the Respondent/s	:	Mr. Sanjay Singh Thakur, Advocate
		Mr. Baua Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-12-2019 This writ petition has been filed on behalf of LIC of India, seeking a direction to the respondent/bank for transmitting the amount of rupees one lakh in the account of the LIC, which admittedly is owned by the LIC.

The occasion for the LIC to file this present writ petition is as follows:-

A cheque was issued by the LIC in favour of one Rita Kumari against the death claim of her husband.



The aforesaid cheque was attempted to be encashed by a fake person who had opened an account in the name of aforesaid Rita Kumari. On the LIC coming to know of such move, the respondent/bank was intimated for stopping payment against the aforesaid cheque. The bank, on the aforesaid communication by the LIC has also chosen to lodge an F.I.R vide Bihar P.S. Case No. 242 of 2011 dated 20.09.2011 for the offences under Sections 420, 468, 471 of the Indian Penal Code against one Pawan Kumar Akela @ Babloo who actually had opened the account in the name of Ritu Kumari. The amount of rupees one lakh which belongs to the LIC is lying with the respondent bank.

Learned counsel for the respondent/bank submits that there shall be no difficulty for the bank in returning the amount to the LIC.

In view of the present stand of the respondent/bank, this writ petition is disposed off with a direction to the respondent/bank to remit the aforesaid



amount in the account of the LIC within a period of two months from the date of production of a copy of this order before the respondent/bank.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

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