

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11364 of 2018

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Sushila Devi Wife of Late Nitya Nand Pandey, resident of Village- Kaithil,
P.O.- Mahakar, P.S.- Chandi, District- Nalanda. Petitioner

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Managing Director, Bihar State Ware Housing Corporation B-2, First Floor, Maurya Lok Premises, Patna
3. The Managing Director, Life Insurance Corporation of India, Central Office, Yogakshema, Jeevan Bima
4. The Branch Manager, P and GS Department, Patna Division, Life Insurance Corporation, Fraser Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Advocate
		Mr. Shree Nivas Madhuvan, Advocate
For the Respondent/s	:	Mr. M. K. Upadhyay, AC to GP3
For L.I.C. of India	:	Mr. Rajan Ghoshuare, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 13-11-2019 Today, Mr. Rajan Ghoshuare, learned counsel representing the L.I. C. of India produced before this Court a copy of the proof of payment through NEFT on 11.11.2019 in the Bank of India, Biharsharif Account of the petitioner. A sum of Rs. 1,80,202/- has been credited in her account.

While this case could have been disposed of by merely recording this statement, the Court cannot remain oblivious of the facts and circumstances under which the petitioner being widow was compelled by the authorities of the P & GS Department of L.I.C. of India to contest her case by filing this writ application.



Initially even in this Court counter affidavit was filed stating with impunity that nothing is payable to the petitioner but when this Court called upon the L.I.C. of India to produce Master Policy and thereafter, when it transpired that the plea being taken by the L.I.C. of India was not in tune with the policy conditions, the authorities agreed to pay the amount and, this is how the payment has been made.

These are the circumstances which are sufficient for this Court to take a view that the petitioner is required to be compensated by awarding some interest and cost of litigation for pursuing the matter for last one and half years before this Court.

The L.I.C. of India is, therefore, directed to pay interest at the rate of 6 % per annum to the petitioner on the admitted amount which the petitioner became entitled to receive after death of her husband on 30.06.2017. Giving a reasonable period to the L.I.C. of India, the interest would be paid from a date three months after the date of death of the husband of the petitioner till the date of payment. The L.I.C. of India shall also pay a cost of litigation which is assessed at Rs. 15,000/- (fifteen thousand). Both these payments shall be made to the petitioner within a period of 30 days from today.



The interest and cost of litigation which the L.I.C. of India has been made liable to pay, may be realized from the erring officials.

Disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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