

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-7838-2015

Date of Decision:17.10.2019

SBI Life Insurance Co.Limited

....petitioner

Versus

Smt.Darshana and others

.....respondents

CORAM: HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Ms.Vandana Malhotra, Advocate
for the petitioner

Mr.Hoshier Singh, Advocate for
Mr.Sanjeev Sharma, Advocate
for respondent No.1

RAJIV NARAIN RAINA, J. (ORAL):

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari to quash the impugned order dated 18.10.2014 (P-1) passed by respondent No.2-Permanent Lok Adalat (Public Utility Services), Patiala, whereby the petitioners have been directed to pay the claim amount to respondent No.1 with interest.

The only reason to repudiate the insurance is that the insured did not disclose in the medical proforma that he was suffering from Type -II Diabetes Mellitus. The death occurred four months after the insurance cover. In the medical report, the cause of death on arrival at the hospital was diagnosed as 'cardiac shock'. The death was not due to the well known fatal conditions in diabetes. Accordingly, the reason for repudiation of insurance contract is neither fair nor proper. No other substantial ground was pressed in the petition against the order of Permanent Lok Adalat

(Public Utility Services), Patiala. There is no error apparent on the face of the record warranting interference in the extraordinary writ jurisdiction. The petition is dismissed and award dated 18.10.2014 passed by the Permanent Lok Adalat, Patiala is maintained.

17.10.2019

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**(RAJIV NARAIN RAINA)
JUDGE**

Whether speaking/reasoned
Whether reportable-

Yes/No.
Yes/No