

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2609 of 2016

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1. Md. Noor Islam, S/o Late Zayauddin, Daud Bigha, Kumhrar, Near TCI, Patna.
 2. Samar Naj W/o Md. Noor Islam Daud Bigha, Kumhrar, Near TCI, Patna.
 3. Shaheed Praveen @ Saheda Pravin W/o Mainazul Islam Daud Bigha, Kumhrar, Near TCI, Patna.
 4. Anjum Gajala D/o Md. Sadaruddin Daud Bigha, Kumhrar, Near TCI, Patna.

... .. Petitioner/s

Versus

1. The Chairman Life Insurance Corporation Of India, Mumbai
2. The Zonal Manager, Life Insurance Corporation of India, Patna.
3. The Divisional Manager, Life Insurance Corporation, Jeevan Prakash Building Frazer Road, Patna.
4. The Branch Manager, Life Insurance Corporation, Haji Ganj Patna City, Patna.
5. Aftab Alam, agent Life Insurance Corporation, bearing agent code no. 1426/544, Haji Ganj Patna City

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate
For the Respondent/s : Mr. Prashant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 17-02-2020

The petitioners are policy holders of Life Insurance Corporation of India who claim that they have been duped by their agent/respondent 2nd set/respondent no. 5 who, without any authorization from the petitioners converted the very nature of the policy to which the petitioners had consented.



From the arguments advanced on behalf of the petitioners, this Court derives that an internal committee of the LIC found that fraud was played by respondent no. 5 who had in some measure duped some of the policy holders whose policy was commenced on the report of the respondent no. 5. The investigation regarding the conduct of the respondent no. 5 was taken up by the CBI.

There is no clear averment in the writ petition whether the investigation has concluded and whether the petitioners who claimed to have been duped are also shown as conspirators in any offence.

If the petitioners have been identified to be the victims of the machinations of respondent no. 5, they ought to be heard by the LIC as they claim to be bonafide policy holders.

In case the investigation papers do not indicate otherwise, it would be open for the petitioners to make a fresh representation before the Divisional Manager, Life Insurance Corporation of India (respondent no. 3) for any



change in the policy or for adjusting the premium of the changed policy into the policy which had originally been started by the writ petitioners.

On such representation being filed within a period of two months, the concerned respondent shall, after verifying all the facts, take a decision and communicate the aforesaid decision to the petitioners forthwith. Needless to state that any decision by respondent no. 3 shall be a reasoned one and shall be passed within a period of ninety days of the receipt of such representation.

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

(Ashutosh Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.02.2020
Transmission Date	

