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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12088 OF 2018

Navnath N. Gutte

..Petitioner

vs.

Union of India & ors.

..Respondents

.....

Mr. Manoj M. Kondekar for the Petitioner.

.....

**CORAM : NITIN JAMDAR &
M.S.KARNIK, JJ.**

DATE : 20 JANUARY 2020

P.C.:-

Heard learned counsel for the Petitioner.

2. The Petitioner has challenged the order passed by Respondent No. 3 – Senior Divisional Manager, Life Insurance Corporation of India, dated 11 December 2013 terminating the agency of the Petitioner.

3. After the order of termination dated 11 December 2013, the Petitioner filed an appeal proceedings under Rule 24 of the Life Insurance Corporation of India (Agents) Rules, 1972 which appeal is also dismissed by order dated 26 March 2015.

4. It is the contention of the learned counsel for the Petitioner that the Petitioner was not aware of the health of the insured person nor it was his responsibility to mention the said fact and it was the responsibility of the person who was insured.

5. The Appellate Authority has rightly taken note of the fact that the Petitioner was the cousin of the proposer and due to the relation between the parties the contention of the Petitioner of being ignorant of the health (HIV Positive) could not be accepted.

6. Both the Appellate Authority and Disciplinary Authority have given opportunity to the Petitioner to put forth his explanation and having been considered the same, have passed the impugned orders. The view taken by the Appellate Authority regarding knowledge of the Petitioner is a possible view and cannot be considered as perverse. We do not find any merit in the case so as to warrant any interference in the writ jurisdiction. The Writ Petition is, accordingly, dismissed.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)

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