

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6327 of 2020

=====

Amarjit Kumar @ Amarjeet Kumar S/o Lalan Yadav R/o Village Sarbu Singh
ke Tola, P.O. Khawaspur, P.S. Krishnagarh, (O.P. Khawaspur), District-
Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur.
4. The Superintendent of Police, Muzaffarpur.
5. The Deputy Superintendent of Police, Muzaffarpur.
6. S.H.O., Turki Out Post, P.S.- Kudhni.
7. The Tata AIG General Insurance Company Ltd Registered Office at 15th Floor, Tower A Peninsula Business Park, Ganpatrao Kadam Marg, Opp. Senapt Bhagat Marg, Mumbai- 4000013 through its Chairman.
8. The Chairman Tata AIG General Insurance Company Ltd Registered Office at 15th Floor, Tower A Peninsula Business Park, Ganpatrao Kadam Marg, Opp. Senapt Bhagat Marg, Mumbai- 4000013.
9. The Branch Manager, Tata AIG General Insurance Company, 3rd Floor, I.G. Complex, Boring Road, Patna 800001.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh
For the Respondent/s : Mr.P. K. Verma (Aag3)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

(I) For quashing the letter dated 19.07.2019
issued by the respondent Insurance Company by which theft
claim of the vehicle of the petitioner has been rejected on

the ground that the F.I.R. regarding the theft was registered after 71 day delay.

(II) For issuance of direction to the respondent no.7 to 9 to pay the insurance claim of the petitioner with Penal interest as well as litigation cost as there is no laches on the part of the petitioner.

(III) For commanding the respondent no.1 to 6 to pay compensation of Rs.250000/- for registering the F.I.R. of the petitioner after delay of 71 days due to which the vehicle of the petitioner was not recovered.

(iv) For issuance of such other appropriate order / orders or direction / directions which may deem fit and proper in the facts and circumstances of the present case.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to initiate appropriate proceeding seeking redressal of his grievances before the appropriate forum.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present application is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of six months from the date of its presentation.

While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing be afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.11.2021
Transmission Date	NA