

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO.8449 OF 2020

KADUBAI LAXMAN SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Pramod C. Mayure.
AGP for Respondent Nos.1 & 3-State : Mr. S. R. Yadav-Lonikar.
Advocate for Respondent No.2 : Mr. A. B. Kadethankar.
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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 22.07.2021

PER COURT :-

1. Leave to add the District Collector, Jalna as respondent No.3. Addition be carried out forthwith. Issue notice to respondent No.3. The learned AGP waives service of notice and causes his appearance on his behalf.
2. The petitioner can be represented either by her son or through a legal representative keeping in view that she is a widow and is deaf and dumb due to a congenital defect.
3. Having heard the learned counsel for the respective sides, we have perused the Agriculture Accident Insurance

Company Guidelines vide Government Resolution dated 04.12.2009. Clause 14 of the said Government Resolution indicates that if there is any dispute as regards the claims or between the claimants and the insurance company or even with the establishment, a Committee comprising of the District Collector, CEO, Zilla Parishad of the District, Resident Deputy Collector, the head of the insurance broker, an authorized representative of the insurance company and the District Agriculture Superintendent / Officer, would resolve the said dispute. Such Committee is to hold its meeting in case there are any disputes pending before it, in each month and dispose off the pending claims expeditiously. The decision of the Committee to implement the terms of the insurance policy, would be binding upon the insurance company.

4. The petitioner has relied upon a judgment delivered by this Court dated 03.02.2016 in Writ Petition No.9090 of 2015 filed by Sunita Haribhau Ughade and another Vs. The State of Maharashtra and another. In the said case, the claim was refused by the insurance company, as there was a delay of about 13 months in lodging the claims. Admittedly, in the instant case, the delay is of about 36 months.

5. In view of the above, this petition is disposed off with the following directions :

- (A) The petitioner shall tender a copy of his claim application along with an application for condonation of delay, on or before 02.08.2021, before the District Collector, Jalna - respondent No.3.
- (B) Respondent No.3 shall hold a meeting of the Committee as prescribed in Clause 14 of the Insurance Guidelines / Government Resolution dated 04.12.2019, on or before 31.08.2021 by giving advance notice to the petitioner as well as to the members of the said Committee.
- (C) A reasonable opportunity of hearing shall be given to the petitioner by the said Committee, which shall take a decision supported with reasons, on or before 30.09.2021.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-