

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2872 OF 2021**

Bharat K Chheda ...Petitioner
Versus
The Life Insurance Corporation of India & Ors ...Respondents

Mr Aditya Shirke, with Shivraj R Patne, for the Petitioner.
**Mr Asim Vidyarthi, with Rushabh Vidyarthi, for Respondents Nos. 1,
2 and 3.**
Ms Komal Shah, i/b Bhawe & Co, for Respondent No.4.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**
DATED: 20th December 2021

PC:-

1. We had in the course of the hearing suggested that the 1st Respondent, LIC, make a payment of Rs. 50 lakhs to the Petitioner under the policy in question as an ad hoc payment to put an end to this petition. The 1st Respondent has agreed to do so. We accept this statement from Mr Vidyarthi for the 1st Respondent, while clarifying that this is without any assessment by the Court on the merits and, therefore, constitutes no precedent whatsoever. We have not addressed the rival contentions at all.

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2. As far as the Petitioner is concerned, the amount is accepted as a payment under the policy. It is, therefore, an amount made under a policy of insurance, and for all purposes will be treated as such including for income tax purposes.

3. Mr Vidyarthi clarifies that the amount will be paid by 15th January 2022. We accept the statement.

4. The Writ Petition is disposed of in these terms. There will be no order as to costs.

5. All concerned will act on production of a digitally signed copy of this order.

(Madhav J. Jamdar, J)

(G. S. Patel, J)