

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2130 of 2022

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Arvind Kumar, Son of Janardhan Ram, Resident of Village- Khaprail Chak,
Police Station- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through Principal Secretary, Finance Department, New Delhi.
2. The Bank of Baroda through its Managing Director, Baroda House, Mandvi Baroda, Badodra, Gujrat, Pin- 390007.
3. Thee Managing Director, Bank of Baroda, Bihar, Patna.
4. The Zonal Manager, Bank of Baroda, Bihar at Patna.
5. The Branch Manager, Bank of Baroda, Branch M.S.E.M.I., Geeta Bhawan, Kadamkuan, Police Station- Kadamkuan, Patna, Bihar.
6. The Bajaj Allianz Life Insurance Company through its Managing Director, Bajaj Allianz House, Yerawada, Pune, Maharashtra.
7. The General Manager, Bajaj Allianz Life Insurance Company Limited, Bihar at 102 and 103 Rajendra Ram Plaza, Exhibition Road, Patna, Bihar.
8. The Claim Review Committee, Bajaj Allianz 5th Floor Airport Road, Yerawada, Pune- 411006, Maharashtra.
9. The Branch Manager, Bajaj Allianz Life Insurance Company 102 and 103 Rajendra Ram Plaza, Exhiition Road, Patna, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ramendra Kumar Bharti, Advocate Mr. Zainul Abedin, Advocate
For the Respondent/s	:	Dr. K.N. Singh (ASG) Mr. Vivek Prasad, GP-7

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

Date : 21-03-2022

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-



(i)- That this is an application for issuance of an appropriate writ and/or direction/ and/or order/orders commanding the respondent Bank of Baroda to realize the insurance claim of the decease mother of the petitioner namely Bachchi Devi and against the same towards the housing loan dues of his mother as per the condition of the grant of the housing loan.

(ii).- The petitioner further prays that the letter of repudiation of the claim of the petitioner vide issuance company be held to be no and void based on no material and is against the principal of the natural justice.

(iii).-It is further prays that the claim review committee of the issuance company be directed to disposed of the claim review application and its reminder filed by the petitioner as per the legal provision.



(iv).-It is also prayed that during the pendency of the present application the realization of housing loan dues of the mother of the petitioner be stayed to be realize from the petitioner.

(v).- Any other relief or reliefs also may be granted as to this Hon'ble Court may seems fit and proper.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies as are available in accordance with law.

Permission granted.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

As and when such proceeding is initiated, the same shall be considered and decided expeditiously, preferably, within a period of six months.



Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	22.03.2022
Transmission Date	

