

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6554 of 2022**

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Om Sri Ram Phuleshwari Kashi Enterprises through its Director, Brindavan Tiwary, Male, aged about 45 years, S/o Shri Narayan Tiwary, R/o Village-Chandwa, P.S.- Ara Nawada, District- Bhojpur. ... .. Petitioner/s

Versus

1. The ICICI Lombard General Insurance Company Limited through its Chairman having its office at Interface Building No.- 16, 601/602, 6th Floor, New Link Road, Malad (West), Mumbai- 400064.
2. The Branch Manager, ICICI Lombard General Insurance Co. Ltd., at 2nd Floor, Krishna Bhawan, Above Axis Bank, near Dakbangla Road, Patna, Bihar- 800001.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Advocate  
For the Respondent/s : Mr.

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

**Date : 20-06-2022**

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

1. That this is an application for quashing the order dated 11.01.22 issued by Branch manager of ICICI Lombard GIC Ltd. Patna whereby and whereunder the insurance claim in respect of cattles (Cows) has been rejected inter alia the following

**RELIEFS : -**

- i. Respondent Authorities be directed to make payment of insurance claim , amount of Rs. 7 Lacs 60 thousand to the petitioner.

After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of six months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of on the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of six months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioner;

(d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(g) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(h) Liberty reserved to the petitioner to approach the

appropriate forum/Court, should the need so arise subsequently  
on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All  
issues are left open;

The petition stands disposed of in the aforesaid terms.

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

**(Sanjay Karol, CJ)**

**(S. Kumar, J)**

Ranjan/- Sanjay

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