

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14426 of 2021

1. Anando Bhakto
2. Amrit Anand
Both sons of Late Dr. Chittaranjan Bhakta Resident of Devashray Apartment, Bhikna Pahari, P.S.- Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India through Divisional Manager, LIC Bhawan, Fraser Road, Patna.
2. The Divisional Manager, Life Insurance Corporation of India, LIC Bhawan, Fraser Road, Patna.
3. The Regional Manager, Life Insurance Corporation of India, LIC Bhawan, Fraser Road, Patna.
4. The Branch Manager, Life Insurance Corporation of India, Gaighat Branch, Patna.
5. Ms. Shefali Bhakta D/o Mr. Surajit Bhakta Resident of Village- Baharpura, P.S. Panskura, District- Mednipur, West Bengal presently residing at Village- Hogolberia, PO- Ramtarak Hat, PS- Tamluk, District- Purba Mednipur, West Bengal.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Prakash, Advocate
For the Respondent/s	:	Mr. Rakesh Kumar, Advocate Mr. Rajnikant Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 19-01-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-



“i. Issue direction to the respondent corporation particularly respondent no. 4 not to release the benefits of different LIC policies, as mentioned in this writ application, in favour of private respondent.

ii. Issue appropriate direction to the respondents to release the LIC policies, as mentioned in this writ application, to the petitioners who are the only surviving legal heirs of late Chitranjan Bhakta.

iii. To grant any other relief(s) in the facts and circumstances of the Case.”

After the matter was heard for some time, learned counsel for the petitioners, under instructions, states that petitioners shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioners shall be filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioners, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of three 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 in the following terms:-



(a) Petitioners shall approach the authority concerned 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 three months from the date of its filing along with a copy of this order;

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

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

(e) We are hopeful that as and when petitioners 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;

(f) Liberty reserved to the petitioners to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits of the matter. All issues are left open;



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

(i) It is open for the petitioners to invite attention of the authorities, of the decision rendered by this Court in relation to the right and entitlement of the disbursement of the money to the legal heirs and not the nominee, more so in view of the provisions of the Indian Succession Act, 1925.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.01.2022
Transmission Date	

