

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13480 of 2022

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Suman Kumari Wife of Late Subhash Chandra Singh, Resident of Village-
Bariarpur, Post Office- Bariarpur, Police Station- Sitamarhi, District-
Sitamarhi.

... .. Petitioner/s

Versus

1. The Chairman cum Managing Director Life Insurance Corporation of India, Central Office, Yogakshema, Jeevan Bima Marg, Nariman Point, Mumbai, Pin Code- 400021.
2. The Senior Divisional Manager, Life Insurance Corporation of India, East Central Zonal Office, Exhibition Road, Patna, Pin Code- 00001.
3. The Zonal Manager, Life Insurance Corporation of India, East Central Zonal Office, Exhibition Road, Patna, Pin Code- 00001.
4. The Divisional Manager, Life Insurance Corporation of India, Tirhut Division, Muzaffarpur.
5. The Branch Manager, Life Insurance Corporation of India, Sitamarhi Branch, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

Mr. Rakesh Kumar, Advocate
Mr. Rajni Kant Singh, Advocate
Mr. Rakesh Kumar, Advocate
Mr. Abhimanyu Vatsa, Advocate
Mr. Manish Kumar, Advocate
Mr. Sameer Sawarn, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

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(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.)

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3 11-11-2022

Petitioner has prayed for the following relief(s):-



- (i) For a writ of certiorari to quash the order dated 21.12.2021, vide Ref. No. MDO / Claim / Repudiation issued under the signature of Senior Divisional Manager, Life Insurance Corporation of India, East Central Zonal office, Exhibition Road, Patna, whereby the prematurity death claim of the husband of the petitioner for payment of sum assured who died ~~of~~ cardiac arrest has been rejected on an untenable ground that the husband of the petitioner was suffering from diabetes, which order is arbitrary, capricious and illegal as there is no material on the basis of which the respondent corporation has arrived at the said finding that the petitioner's husband was suffering from diabetes except for unsubstantiated and unverified verification report conducted by its officer behind the back of the petitioner.
- (ii) For issuance of an appropriate writ, order or direction in the nature of mandamus commanding the respondent to pay the prematurity death claim under LIC Jeewan Lakshya Scheme, vide Policy No. 857735059, which the respondent corporation has illegally



and erroneously rejected on an untenable ground that the husband of the petitioner has suppressed the material fact of he being suffering from diabetic without any material to support such finding and thus the respondent corporation has acted in a most arbitrary and illegal manner.

- (iii) For a direction that the respondent corporation may be saddled with heavy cost for illegally depriving a widow from her legitimate claim of receiving the insurance claim by unlawfully rejecting the insurance claim on non est ground.
- (iv) For any other relief / reliefs to which the petitioner is found entitled in the facts and circumstances of the case.

Shri Sameer Shekhar, learned counsel, who appears on behalf of Shri Abhimanyu Vats, learned counsel for the respondents, states that the matter stands amicably resolved and there is no surviving cause of action.

Statement accepted and taken on record.

We notice that on 16th of September, 2022, when the matter was first called out, none had entered appearance on



behalf of the petitioner. Even today, despite repeated calls, none is present on behalf of the petitioner. Perhaps, petitioner has lost interest in the matter.

As such, the present petition stands dismissed for non-prosecution.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

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