

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20452 of 2021

Binod Kumar Gupta Son of Muneshwar Prasad Sah, resident of Village -
Majhauria, Post office - Dumri, Police Station- Sadar, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Inspector General of Police.
2. The Superintendent of Police, Muzaffarpur.
3. The Officer Incharge Sadar Police Station, Muzaffarpur.
4. The Chola Mandalam General Insurance Company Limited through its
Managing Director Mohalla - Mithanpura, Ward No. 35, Police Station-
Mithanpura, District- Muzaffarpur.
5. Manager Chola Mandalam General Insurance Company Limited 3rd Floor
I.D. Complex near Boring Canal Road, Opposite Medicana Medical Soap,
Plot No. 166, Patna - 800023.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Advocate
For the Respondent/s : Md. N.H. Khan (SC1)

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 : 08-02-2022

Heard learned counsel for the parties.

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



That the present writ application is being filed for issuance of order/orders, direction/directions to respondents to release the admitted Insurance amount in favour of the petitioner. Petitioner was insured his Scorpio (Jeep) by Chola Mandalam General Insurance Company P.L.T.D. vide Policy No.3362/01808689/000/00 petitioner Scorpio Jeep was theft by unknown thief driver of the petitioner given information to Sadar Police Station, Muzaffarpur Sadar Police lodged First Information Report at Sadar Police Station Case No.495 of 2020 and charge sheet also submitted thereafter petitioner claimed

7 Chola Mandalam General Insurance Company. But uptill now no any step taken by Insurance Company for pay this Insured Amount Seven Lakhs Fifty Thousand Rupees.

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	10.02.2022
Transmission Date	

