

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.19971 of 2016
(Through hybrid mode)**

Divisional Manager LIC of India

Petitioner

Mr. H. K. Ratsingh, Advocate

-versus-

Baijaynti Mohanty

Opposite Parties

Mr. R. K. Mohapatra, Advocate

CORAM: JUSTICE ARINDAM SINHA

**ORDER
15.09.2022**

**Order No.
05.**

1. Mr. Ratsingh, learned advocate appears on behalf of petitioner (Insurance Company). He submits, impugned is award dated 30th June, 2016. On the claim made there was investigation and it transpired that the Dead Life Assured (DLA) had terminal disease of cancer. This was not disclosed at the time of taking the policy nor when it was revived upon lapse due to nonpayment of premium. He submits, there be interference.

2. Mr. Mohapatra, learned advocate appears on behalf of opposite party. On query from Court he submits, impugned award directed payment of the sum assured at Rs.1,00,000/- and 6% interest. He

submits, in event the insurance company forthwith pays the sum assured, his client will not press for interest.

3. Petitioner will pay Rs.5,00,000/- within three weeks.

4. Above direction has been made on expectation that the sum assured will be paid within three weeks. In event it is not paid, it upon expiry of three weeks, it must be paid along with interest as directed in impugned order.

5. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

