

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.16101 of 2019
(Through hybrid mode)**

Sasmita Das and another

....

Petitioners

Ms. B. Mohanty, Advocate

-versus-

***Sr. Divisional Manager, LTC and
others***

....

Opposite Parties

Mr. S. Swain, Advocate for O.Ps.1 and 2

Ms. M. Das, Advocate for O.P.3

CORAM: JUSTICE ARINDAM SINHA

**ORDER
08.08.2022**

Order No.

- 05.** 1. Ms. Mohanty, learned advocate appears on behalf of petitioner. She submits, her clients are widow and son of the life insured. Relief sought in the petition is for payment of the death claim against LIC policy no.828841753 in favour of petitioners. This has not been done since private opposite party no.3 (brother of the deceased), was made nominee.
2. Ms. Das, learned advocate appears on behalf of private opposite party no.3 and submits, she has instructions that her client does not object to the claim being paid to petitioners. Mr. Swain, learned advocate appears on behalf of insurance company (opposite party nos.1 and 2).
4. Court appreciates stand taken by opposite party no.3. Said opposite

party will execute 'no objection' regarding his nomination in respect of the policy, to the insurance company. The insurance company will thereupon make payment of the death claim to petitioners.

5. On query from Court Ms. Das submits, her client is working in Chhatisgarh. Opposite party no.2 will dispatch the 'no objection' form/declaration to opposite party no.3 along with this order forthwith. Opposite party no.3, on receipt thereof will execute the form/declaration and send it by return post to opposite party no.2, whereafter the death claim be paid out to petitioners. This must be done within four weeks from date.

6. The writ petition is disposed of.

(Arindam Sinha)
Judge

Prasant

