

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20713 of 2018

(I.A. No.18757 of 2023)

Banditarani Praharaj

....

Petitioner

Mr. P.C. Panda, Advocate

-versus-

***The Life Insurance Corporation of
India and another***

....

Opposite Parties

Mr. P.R. Barik, Advocate
Mr. B.K. Parida, Advocate

CORAM:

JUSTICE ARINDAM SINHA

**ORDER
06.03.2024**

Order No.

05.

1. Mr. Parida, learned advocate appears on behalf of applicant, who was opposite party no.2 in the writ petition. He submits, his client is brother of the deceased and nominee in the policy. There was order dated 10th January, 2022 made disposing of WP(C) no.20713 of 2018 (Banditarani Praharaj v. The Life Insurance Corporation of India and another). It contained direction for the insurance company to pay his client the death benefit after four weeks from date of said order. The application has been filed for implementation of the direction.

2. Mr. Barik, learned advocate appears on behalf of the insurance company (opposite party no.1) in the writ petition. Mr. Panda, learned advocate appears on behalf of writ petitioner. He submits, his client is wife of the deceased. Applicant is merely nominee. He points out from said order dated 10th January, 2022, consciously payment direction made was after, four weeks with liberty to his client to obtain order from Civil Court in the meantime. His client did obtain such order. The nominee got it vacated. His client preferred appeal before the District Judge. His client stands again protected. In the circumstances, the application for implementation is an abuse of the process.
3. Applicant must find his remedy in the civil proceeding initiated by the widow.
4. The application is disposed of.

(Arindam Sinha)
Judge

Jyoti

Signature Not Verified

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Date: 06-Mar-2024 17:52:10

