

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

247

CWP-3769-2020

Date of decision: 22.11.2022

SUKHJIT KAUR

.....Petitioner

VERSUS

LIFE INSURANCE CORPORATION OF INDIA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Gagandeep Singh Sirphikhi, Advocate
for the petitioners.

Mr. Akshay Jain, Advocate
for respondents No.1 & 2.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ or order in the nature of Mandamus for directing the respondents to make full payment with interest @ 12 % per annum of policy No. 472333431 bought by the husband of the petitioner under the “Salary Saving Scheme” from the date of death of the petitioner's husband.

Reply by way of short affidavit of Rajesh Bhatia, Manager (Legal), Life Insurance Corporation of India, Divisional Office, Sector-17-B, Chandigarh has been filed on behalf of respondents No.1 & 2. The relevant extract thereof is reproduced as under:

“3. As a matter of fact, the case of the petitioner was reconsidered and a conscious decision was taken by the Life Insurance Corporation to release the benefit

under policy No.472333431 in favour of its nominee, who happens to be wife of the life assured employee (petitioner in this writ petition). Consequently, an amount of Rs. 1.91,360/- was transferred through NEFT in Account No.50100162368404 with HDFC Bank, Batala Branch (IFSC-HDFC000641) vide UTR No.ICMS200723000KBP on 23.07.2020 towards death benefit under policy No. 472333431. It is emphasized that this account in HDFC Bank belongs to Smt. Sukhjit Kaur (petitioner in this writ petition).

Additionally, the accident benefit under aforesaid policy to the tune of Rs.1,50,000/- was also transferred through NEFT in the aforesaid account of the petitioner on 27.07.2020 vide UTR No. ICMS200727001CWX.”

Learned counsel appearing on behalf of the respondent contends that the present petition has been rendered infructuous since the disbursements under the said policy have already been transferred in favour of the said petitioner and there is no outstanding amount.

In view of the short reply and arguments advanced by the Court, the present petition is accordingly disposed of as having been rendered infructuous.

Liberty is, however, granted to the petitioner to seek revival of the present petition in case the aforesaid stand is found to be incorrect.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 22, 2022

Vishal sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No