

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No. 1246 of 2022

In
Civil Writ Jurisdiction Case No.14426 of 2021

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Anando Bhakto, Son of Late Dr. Chittaranjan Bhakta, Resident of Devashray Apartment, Bhikna Pahari, P.S. Kadam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India through Divisional Manager, LIC Bhawan, Fraser Road, Patna.
2. Shri. Shravan Kumar, son of Not Known, Zonal Manager, Life Insurance Corporation of India through Divisional Manager, LIC Bhawan, Fraser Road, Patna.
3. Shri Kulbhushan Sharma, son of Not Known, Senior Divisional Manager, Divisional Office 1, Life Insurance Corporation of India through Divisional Manager, LIC Bhawan, Fraser Road, Patna.
4. Shefali Bhakta D/o Mr. Surajit Bhakta, resident of Village- Baharpura, P.S. Panskura, District- Mednipur, West Bengal presently residing at Village- Higolberia, P.O.- Ramtarak, P.S.- Tamluk, District- Purba Mednipur, West Bengal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Prakash, Advocate
For the Opposite Party/s : Mr. Abhimanyu Vatsa, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 05-10-2023 Matter was heard on earlier occasion. Question for consideration is whether for the purpose of claiming any benefit arising out of deceased person with reference to LIC policy whether succession certificate under the Indian Succession Act, 1925 is mandatory or not? Today learned counsel for the respondent furnished an internal communication stated to have



been issued to all the respective Zonal Managers and other subordinate officials insofar as nomination of policyholder (Section 39) as amended by Insurance Laws (Amendment) Act, 2014. There is mandatory requirement of production of succession certificate for the purpose of claiming any benefit payable by the insurer.

2. Therefore, the present contempt petition stands dropped reserving liberty to the petitioner to obtain succession certificate and produce the same before the concerned authority.

3. If such materials were placed on record before the concerned respondent, the concerned respondent shall examine the claim of the petitioner in accordance with law.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

Balmukund/-
Ashish/-

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