

S/L 30
23.8.2023
Court No.26
SD

WPA 15717 of 2016

Rubi Sharma (Thakur)
Vs.
The Union of India & Ors.

Mr. Prahlad Chandra Ghosh
Mrs. Kakali Samajpaty

...for the Petitioner.

Mr. S. Bera

...for the Union of India.

Heard counsel appearing on behalf of the parties.

This is an application under Article 226 of the Constitution of India wherein the petitioner is aggrieved by the order dated September 29, 2015 wherein the claim of the writ petitioner with regard to a postal insurance claim has been rejected by the Department of Post, Government of India.

It is to be noted that in an earlier writ petition being WP 23693 (W) of 2014, a coordinate Bench of this Court had directed by an order dated August 20, 2015 to grant an opportunity of hearing to the petitioner and thereafter pass a reasoned order.

It appears from the averments made in paragraphs 15 and 16 that the writ petitioner had gone with the relevant documents to the respondent authorities and provided the documents. However, no receipt of the same was provided to her nor proper hearing was granted to her.

On a plain reading of the impugned order, it also appears that no notice of hearing was granted to her.

In light of the above, I am of the view that the order dated September 29, 2015 is required to be quashed and set aside.

Accordingly, the order dated September 29, 2015 is quashed and set aside with further direction to the authorities to ensure a proper opportunity of hearing to the petitioner and consideration of the documents produced by her and thereafter pass a reasoned order upon the same within a period of six weeks from date. The reasoned order shall be communicated to the petitioner within a week from the date of passing of the same.

With these observations, WPA 15717 of 2016 is disposed of.

All parties are to act on the website copy of this order.

(Shekhar B. Saraf, J.)