

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-138-2021 (O&M).

Date of Decision: 10.05.2023.

HARBANS KAUR @ HARVANS KAUR

.. Petitioner

Versus

THE INSURANCE REGULATORY AND DEVELOPMENT
AUTHORITY OF INDIA AND OTHERS

... Respondents

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

Present: Mr. Abhiraj Singh Baweja, Advocate,
for the petitioner.

Mr. Vijiyesh Malhotra, Advocate, for respondents No.2 and 3.

Mr. A.P.S. Sehgal, Advocate, for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed for raising a challenge to the communication dated 10.06.2020 (Annexure P-3) whereby the claim of the petitioner had been repudiated by respondent No.2-Insurance Company.

Learned counsel appearing on behalf of the respondents have stated at Bar that the claim in question has already been released in favour of the petitioner on 17.11.2021 and that there is no outstanding amount.

Learned counsel for the petitioner, however, contends that the petitioner is an old lady and was unduly harassed by the respondents and forced to come to this Court for redressal of her grievances which ought to have been redressed by the respondents No.2-Insurance Company at the

first instance and that the petitioner is entitled to compensation for undue harassment as well as interest for such delayed release.

Learned counsel for the petitioner, however, does not dispute the fact that the entire due amount, as was admissible under the policy already stands released.

In view of above, no further directions are required to be issued by this Court since the substantive grievance of the petitioner stands redressed. So far as the grant of interest on delayed release of payment and/or any other compensatory costs on account of harassment is concerned, the petitioner, if so advised, may approach the concerned Courts for seeking the said reliefs. There is no reason as to why a writ Court should look into the issue of assessing the compensation for harassment and delay in release of the payment.

Petition stands disposed of accordingly.

May 10, 2023

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(VINOD S. BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No