

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14104 of 2024

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Anand Mishra @ Anand Kumar Mishra, Son of Late Bhogendra Mishra
Resident of Village- Bankatta, Post Office- Bankatta, Police Station
-Benipatti, District- Madhubani, Bihar.

... .. Petitioner/s

Versus

1. The ICICI Lombard General Insurance Co. Ltd., through its General Manager, Office situated at ICICI Lombard House No. 414, Veer Savarkar Marg, Near Siddhi Vinayak Temple, Prabhadevi , Mumbai- 400025.
2. The Branch Manager, ICICI Lombard General Insurance Co. Ltd., Office situated at Second Floor Krishna Bhawan Road, above Axis Bank, near Dakbangalow, Budh Vihar, Fraser Road Area, Patna , Bihar- 800001.
3. The Manager Sahil Automotives Pvt Ltd., Show-Room Near Home, Railway Station Road Mirzapur, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Prakash Kumar, Adv.
For the Respondent/s	:	Mr. Durgesh Kumar Singh, Adv.
For the Resp. Nos. 1 and 2		Mr. Durgesh Kr. Singh, Adv.
		Mr. Abhijeet Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 19-12-2024 Heard learned counsel for the parties.

2. The present Writ Petition has been filled for the following reliefs:-

“I. For issuance of writ in the nature of mandamus commanding and directing the respondents to ensure payment of claim of the vehicle of the petitioner Gand-1-10; bearing Registration No. BR07AA6802 having Police No. 3001/HI-10926867/00/000, against Claim No. MOTO8982268 which has not been paid to the petitioner without any valid and substantive reasons.

II. For issuance of writ in the nature of mandamus commanding and directing the



respondents to pay the interest over the dues/claim, to the petitioner along with the compassion for the unreasonable delay in making payment of the same.

III. For grant of such other relief(s) for which the petitioner is found m to be entitled in the facts and circumstances of the case.”

3. Learned counsel for the petitioner has stated that the authorities in spite of there been a valid insurance policy are not paying the insurance amount for the vehicle that met with an accident. Learned counsel has stated that the petitioner has made complaint/reminder application (Anneuxre 5), however, till date the respondent-insurance authorities are not paying the insurance amount.

4. Learned counsel appearing on behalf of the respondents has stated that the petitioner has an alternative and efficacious remedy of approaching the insurance ombudsman under Section 14 of the Insurance Ombudsman Rules, 2017 and prayed for dismissing the present writ petition.

5. Having regard to the above made submissions, the present writ petition is disposed of with a direction to the petitioner to approach the insurance ombudsman under Section 14 of the Insurance Ombudsman Rules, 2017 within a period of two weeks from the date of the receipt of the copy of this order. On receipt of the same, the ombudsman shall endeavour to



dispose of the case as expeditiously as possible preferably within a period of twelve weeks thereof.

6. With the above directions, the present writ petition stands disposed of to the extent indicated above.

(A. Abhishek Reddy , J)

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