

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5390 of 2019

In
Civil Writ Jurisdiction Case No.17876 of 2017

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Charanjeet Singh Son of Lal Singh Resident of Flat No. 140-A Lotus
Apartment, Muhalla Patliputra Colony, P.S.- Patliputra,. District- Patna.

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India through its Mahendra Kumar, Zonal Manager, Jeevan Prakash, Frazer Road, Patna.
2. Mahendra Kumar, The Zonal Manager, Zonal Office, Life Insurance Corporation of India, Jeevan Prakash, Frazer Road, Patna.
3. Sudhir Gupta, The Chief Branch Manager, Life Insurance Corporation of India, Jeevan Prakash, Frazer Road, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 11-01-2024 Heard learned counsel for the petitioner and Mr. Ajay
Kumar, learned counsel for the opposite parties.

2. This contempt has been preferred alleging willful
disobedience and disregard to the order dated 26.08.2019 passed
by this Court in CWJC No.17876 of 2017.

3. The operative part of the order reads as under:-

“In the given facts and circumstances of the case,
this Court is of the considered opinion that the
petitioner must be given an opportunity to place all
such materials on which he wants to rely upon,
before the Zonal Manager, L.I.C. of India, East
Central Zonal Office, Patna. Even otherwise the
stand of the learned counsel for the Corporation is
that the petitioner has a remedy by filing
representation before the Zonal Manager of the

Corporation against the repudiation action which he has not availed. If the petitioner prefers within 30 days from today a representation along with all materials on which he wants to rely upon to controvert the findings of the Investigating Officer or the Committee of the Managers, the same shall be placed before the Zonal Manager and it will be incumbent upon the Zonal Manager, East Central Zonal office to consider the entire materials, give an opportunity of hearing to the petitioner to explain the materials if so required and then pass a reasoned order thereon within a period of 60 days from the date of receipt of representation on behalf of the petitioner.

This Court has given a prima-facie observation with regard to what have been found from the Policy Docket, in case the Zonal Manager finds that the Policy was effected without taking care to get on record the identity proof and address proof of the Life Assured as also the proof of income, the laxity on the part of the office of the Corporation in effecting the Policy shall also be taken note of and then appropriate action will be taken in the matter.

The writ application stands disposed of.

Let the Policy Docket be returned to learned counsel for the Corporation.”

4. A show cause has been filed on behalf of the opposite parties, copy of which has been served on learned counsel for the petitioner long back.

5. On perusal of the statements made in the show cause, it would appear that the petitioner submitted a representation to the Zonal Manager on 09.09.2019 and the matter was placed before the Zonal Office Claims Dispute Redressal Committee (‘ZOCDRC’) with relevant documents. A fresh enquiry was ordered and after receiving the fresh enquiry

report again enquiry was conducted at the Zonal level whereafter 'ZOCDRC' has decided to uphold the decision of Patna Divisional Office-1 repudiating the claim of the petitioner. The said order has already been communicated to the Sr. Divisional Manager for onward communication to the petitioner at his Patna address as well as at Jalandhar address.

6. According to opposite parties, if the petitioner is not satisfied with the decision of 'ZOCDRC', he may prefer an appeal before the Central Office Claims Disputes Redressal Committee ('CO-CDRC') against the said decision.

7. In paragraph '5' of the show cause, it is also stated that the Sr. Divisional Manager, Patna Divisional Office-1 has communicated the decision to the petitioner.

8. There is no rejoinder to the show cause.

9. In the given circumstance, this Court is of the opinion that the order of this Court has been complied with. The contempt application cannot proceed. It is being disposed of with liberty to the petitioner to seek his remedy as may be advised to him in accordance with law.

(Rajeev Ranjan Prasad, J)

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