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08.02.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 11945 of 2022

Ahmed Reza
Vs.
The Union of India & Ors.

Mr. Debdutta Raha
...for the petitioner

Ms. Supriya Dubey
...for the Insurance Regulatory

Mr. Rajesh Singh,
Mr. Aniruddha Singh
...for the respondent no. 4

1. Learned counsel for the petitioner contends that the petitioner made a motor accident insurance claim, which was not settled by the insurer.

2. Learned counsel for the Insurance Company submits that the first surveyor appointed by the Insurance Company was disputed by the petitioner on the point of credentials. Accordingly, a second surveyor was appointed, who disclosed his credentials.

3. In any event, ultimately the settlement could not take place till date also because some of the

documents asked for by the Insurance Company were not furnished by the petitioner.

4. Learned counsel appearing for the petitioner contends that such documents were furnished.

5. Be that as it may, the purpose of justice would be sub-served if the petitioner furnishes further copies of the documents asked for by the insurer in terms of annexure at page 38 of the present writ petition, even if already furnished, within a week from date.

6. Hence, W.P.A. No. 11945 of 2022 is disposed of by directing the petitioner to furnish copies of the documents claimed by the respondent-insurer, as disclosed at page 38 of the present writ petition within a week from date.

7. Upon furnishing such documents, the insurer shall process the claim and disburse the entire amount of the claim as assessed by the insurer to be due to the petitioner, if any, within four weeks thereafter.

8. It is made clear that in the event the petitioner has any further grievance regarding the quantum of the assessed amount, it will be open to the petitioner to challenge the same before the appropriate forum.

9. There will be no order as to costs.

10. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)