2024:PHHC:165250

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.

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CWP-31347-2024 (O&M).
Date of Decision: 09.12.2024.

SATPAL PURI

... Petitioner(s)

Versus

LIFE INSURANCE CORPORATION OF INDIA AND OTHERS

... Respondent(s)

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

Present: Mr. Piyush Aggarwal, Advocate, for
Mr. Amit Sharma, Advocate,
for the petitioner.

Ms. Rahish Pahwa, Advocate,
for respondent No.2-Bank of Baroda.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been filed for seeking issuance of directions to the respondents to decide the legal notice sent by the petitioner and to revive the insurance policy No.302728926 in compliance to the order dated 09.07.2024 passed in complaint No.279 dated 02.11.2020 by the District Consumer Disputes Redressal Commission, Ludhiana (hereinafter referred to as 'DCDRC, Ludhiana').

Learned counsel appearing on behalf of the petitioner has been confronted with the order that had been passed by the DCDRC, Ludhiana. The operative part of the same reads thus:-

> *"8. Jeevan Tarun policy No.302728926 Ex.C1 shows that the policy was to be commenced from 02.02.2016 and was to be matured on 02.02.2029. Further the sum assured of the policy was Rs.10,00,000/- having monthly premium of Rs.10,133.07. Perusal of policy shows that at the time of issuance of the policy, Shaina Puri was minor having 12 years of age and the proposer was her father namely Deepak Puri. Till filing of the complaint, she continued to be minor and she attained the majority during the proceedings of this complaint. The complainant should have been filed by Shaina Puri through her legal and natural guardian and proposer of policy. The complainant, Satpal Puri, in his personal capacity has no locus standi or cause of action to maintain the complaint on behalf of Shaina Puri. As such, the complainant is not a Consumer as per definition of Section 2(7) of the Consumer Protection Act and the complaint is not maintainable and same deserves dismissal.*
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> *9. At the fag end of arguments, the complainant showed inclination for renewal of the policy by Shaina Puri. It is observed that in case Shaina Puri approaches OP1 for renewal of her lapsed policy and pays the applicable premiums and fees within 30 days from the date of passing of this order, then OPI would be at liberty to renew the same in terms of policy in question.*

10. As a result of above discussion, the complaint is hereby dismissed. However, there shall be no order as to costs. Copies of order be supplied to the parties free of costs as per rules. File be indexed and consigned to record room."

It is evident from a perusal of the said award passed by DCDRC Ludhiana, that the complaint filed by the petitioner was dismissed and a liberty was granted to Shaina Puri to approach the LIC for seeking renewal of her lapsed policy and subject to her paying the applicable fee within a period of 30 days.

No such application has been moved by Shaina Puri. There was no recognized right that had been conferred upon the petitioner for seeking execution of the said order. Shaina puri is also not a petitioner before this Court.

Under the given circumstances, I am of the opinion that the present petition is misconceived and is not borne out from correct interpretation of the order passed by the DCDRC, Ludhiana. The present petition is accordingly dismissed as not maintainable at the behest of the petitioner herein.

December 09, 2024. **(VINOD S. BHARDWAJ)**
raj arora **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No