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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9668/2024**

SUBHASH CHAND GUPTA

.....Petitioner

Through: **Mr. Ashutosh Kumar Pandey
and Ms. Pragya D., Advs.**

versus

OFFICE OF THE INSURANCE OMBUDSMAN & ORS.

.....Respondents

Through: **Mr. Kamal Mehta, Adv. for R-
2/LIC of India**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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18.07.2024

1. This hearing is being conducted through hybrid mode.

CM APPL. 39746/2024 (Ex.)

2. Allowed, subject to all just exceptions.

3. The application stands disposed of.

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4. The petitioner is invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, seeking issuance of an appropriate writ, order or direction to quash the award/recommendation dated 13.03.2024 passed by the Ombudsman purportedly in exercise of Rule 16 of the Insurance Ombudsman Rules, 2017.

5. Leaned counsel for respondent No.2/LIC of India is present on advance notice.

6. Learned counsel for respondent No.2 has alluded to the impugned award dated 13.03.2024, whereby a reference was made to



the Ombudsman, which was answered to the effect that LIC was directed to “*review the case once again on the basis of complainant’s request not to deduct the annuity paid to him as his capital of Rs. 7,22,892/- had been kept with the insurer since 12.04.2019*”. The LIC, thereafter, has not chosen to review the matter and has denied the claim of the petitioner.

7. After hearing some arguments, the present petition is disposed of with directions to the Ombudsman to afford a fresh hearing to the parties and decide the complaint /reference made by the petitioner afresh on merits in accordance with the Ombudsman Rules 2017, within 30 days of communication of this order. This order is passed without prejudice.

8. The present petition is disposed of accordingly.

DHARMESH SHARMA, J.

JULY 18, 2024

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