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

% Date of decision: 11th September, 2024

+ W.P.(C) 12749/2024

RAJ KUMAR TIWARI

.....Petitioner

Through: Mr. Vipin Kumar Anand, Adv.

versus

M/S ICICI LOMBARD GENERAL INSURANCE CO. LTD.
AND ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

DHARMESH SHARMA, J. (ORAL)

CM APPL. 53107/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner is invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, 1950, seeking directions to respondents No.1 and 2, viz., M/s. ICICI Lombard General Insurance Co. Ltd. as well as The Insurance Ombudsman respectively, firstly, to indemnify the petitioner for amount of loss suffered on account of theft of the insured vehicle along with interest and, secondly, to quash the impugned letter of rejection of their claim dated 02.11.2023 issued by respondent No.1.
4. None appeared on behalf of the respondents despite sending



advance notice.

5. After hearing the learned counsel for the petitioner, the main grievance of the petitioner seems to be that a complaint has been lodged with the respondent No.2/ The Insurance Ombudsman dated 05.06.2024, which has not been considered till date.

6. The claim is for reimbursement of a sum of Rs. 4,69,468/- assessed by the surveyor on account of loss of the insured vehicle and thereby challenging the rejection of the said claim.

7. The present petition is disposed of with the direction that the present writ petition be treated as a fresh complaint by the respondent No.2/ The Insurance Ombudsman and a decision thereupon be taken within four weeks of the receipt of this order and the copy of the writ petition.

8. A copy of this order alongwith the copies of writ petition and documents be served upon the respondent No.2/ The Insurance Ombudsman, for information and necessary compliance.

9. The present writ petition is disposed of accordingly.

DHARMESH SHARMA, J.

SEPTEMBER 11, 2024

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