

D/L 4
03.01.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19087 of 2024

Gupteshwar Nath Upadhyay

Vs.

The Chairman, Life Insurance Corporation of India & Ors.

Mr. Avijit Ghoshal

...for the Petitioner.

Mr. Subhendu Bandopadhyay

Ms. Dipanwita Ganguly

...for the L.I.C.I.

1. The letter signed by the Senior Divisional Manager dated 15th May, 2014 addressed to the petitioner, is retained with the records.
2. The petitioner claims to have obtained a New Bima Gold policy under the LICI in the year 2010 and claims to have paid premiums till 2012, that is, for a period of three years amounting to Rs.64,193/-.
3. According to the policy certificate annexed to the writ petition at page-23, the date of maturity of the said policy was July, 2023. The amount of premium allegedly paid by the petitioner is yet to be refunded to him.
4. A representation from the end of the petitioner before the Senior Divisional Manager is pending consideration.
5. Learned advocate representing the LICI, submits upon instruction that, the document at page-23 of the writ petition, that is, the policy certificate is a fake and fraudulent document. A fraud had been detected by the CBI and a criminal investigation and trial is pending. Charge-sheet has been filed in connection with the criminal case. LICI never received any payment from the petitioner. The petitioner was intimated by a communication dated 15th May, 2014 for production of the

original documents showing payment for policy verification.

The petitioner never responded to the said communication.

6. Be that as it may, as it appears that a representation from the end of the petitioner seeking refund of the amount allegedly paid by him is pending consideration, accordingly, the Court is not inclined to decide the issue here and now.
7. The Senior Divisional Manager, being the respondent no. 6 herein is directed to consider the prayer of the petitioner in accordance with law after giving the petitioner a reasonable opportunity of hearing for production of relevant documents, at the earliest, but positively within a period of six weeks from the date of communication of this order. The aforesaid respondent shall intimate the petitioner the document(s) that he is required to submit before the authority for receiving the payment, if any.
8. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.
9. Be it recorded that, the amount allegedly deposited by the petitioner before LIC is mentioned in paragraph-19 of the writ petition, that is, Rs. 64,193/- and Rs. 13,231/-.
10. The writ petition stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Amrita Sinha, J.)