

08.04.2025  
Item No.06  
Court No.551  
Avijit Mitra

**WPA 26762 of 2024**

**Sima Rani Das**  
**- Versus -**  
**The Life Insurance Corporation of India Limited & ors.**

Mr. Lalratan Mandal,  
Mr. Dilip Kmar Sadhu  
...for the petitioner  
Ms. Tanusree Das Gupta  
...for the LIC

Affidavit-of-service filed today be kept with the record.

The writ petitioner is aggrieved by the repudiation of the petitioner's claim in respect of Policy no.406639978. The petitioner claims to be the mother of the deceased person i.e. Somnath Das who died due to accident (electrocution). The petitioner complains that she is entitled to the sum assured by the said policy inasmuch as the said policy also covered claims arising out of accidents. The petitioner therefore prays for a direction upon the Respondent Insurance Authorities to sanction and disburse the sums/amounts payable to the petitioner on account of accidental death of her only son.

The learned advocate for the Insurance Authorities submits that in case of denial of claim by the authority at the first stage there is an internal mechanism of an appeal before the appellate authority and in this case, the

petitioner could have approached the Zonal Manager Eastern Zone through the Zonal Office Claim Dispute Redressal Committee for the purpose of redressal of the petitioner's grievance.

It is submitted that the instant writ petition should therefore not be entertained and the petitioner may be left free to approach the appellate authority in terms of the rules. It is also submitted that if such appeal is filed by the petitioner the same would be disposed of within 60 days. The learned advocate for the petitioner hands up a copy of the instructions given to her by the Respondent Insurance Authorities. Let the instructions, as produced, be kept with the record.

Having regard to the nature of the grievance of the writ petitioner this Court is of the view that the writ petitioner should first approach the appellate authority seeking redressal of her grievances.

In such view of the matter, this writ petition is disposed of by granting liberty to the petitioner to approach the appellate authority in terms of the relevant rules governing the respondent Insurance Authority.

The appellate authority, if so approached by the petitioner within a period of four weeks from date shall condone the delay in preferring the appeal at least to the extent of time during which the writ petition remained pending before this Court. It is clarified that this Court has not gone into the merits of the case and the petitioner shall

be free to urge all points and the appellate authority shall also be equally free to take such decision as it thinks fit and proper strictly in accordance with law.

With the aforesaid observations the writ petition being WPA 26762 of 2024 is disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

**(Om Narayan Rai, J.)**