

M/L 12
07.04.2025
Court No.14
PRADIP

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 30230 of 2024

Saroj Kumar Bhunia

Vs.

**The Chief Manager, TATA AIG General Insurance
Company Ltd. & Ors.**

Mr. Sanat Kr. Ray
Mr. Baidurya Ghosal

...for the Petitioner.

Mr. Rajesh Singh
Mr. Aniruddha Singh

...for the Respondent nos. 1 & 2.

1. Affidavits of service filed in Court today are taken on record.
2. Instruction forwarded by the Senior Forensic Expert dated 31st December, 2024 is taken on record and the same has been handed over to the learned advocate representing the petitioner in Court today.
3. The petitioner claims compensation on account of the accident caused to a vehicle which was insured with the respondents.
4. The insurance company repudiates the claim of the petitioner observing that the subject vehicle was driven by the helper and not by the driver. According to the insurance company, a proper inspection was conducted by a forensic team who has filed a report mentioning that the insurance company came to a finding that the vehicle was not driven by the driver.
5. Learned advocate for the petitioner disputes the report that has been filed in Court.

6. It is settled law that writ petition cannot be entertained on disputed questions of fact. The claim of the petitioner has been disputed by the respondents.
7. Accordingly, the relief sought for by the petitioner cannot be allowed. It will be open for the petitioner to approach the competent forum for remedy in accordance with law, if so advised.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)