

**1311
2025**

THURSDAY

Court : MB-24
Item : AD-02
Status : DISMISSED
ID : 266312
AR : NANDY

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

WPA 30693 OF 2024

**KANAI LAL DAS
VS.**

NATIONAL INSURANCE COMPANY LIMITED & ORS.

MR. AJIT KUMAR MONDAL, ADVOCATE

.....for the Petitioner

MR. RAJESH SINGH, ADVOCATE

MR. ANIRUDDHA SINGH, ADVOCATE

.....for the Respondent Nos. 1, 2 & 3

1. The petitioner seeks payment from the Insurance Company, of the truck owned by the petitioner which had met with an accident sometime in the year 2017. This truck was insured with the respondents.
2. Mr. Singh learned Advocate appearing for the respondent nos. 1, 2 & 3 submits that the requisites for the said assessment and also the documents showing the entitlement of the petitioner have not been supplied by the petitioner in spite of repeated requests from the said respondents. In view thereof, such claim of the petitioner cannot be processed. He further submits that the petitioner has slept-over his right since 2019 after a failed attempt before the Consumer Forum. The respondents also submit that the petitioner has an alternative and efficacious remedy under the Insurance Regulatory Development Authority Act, 1999 and hence this writ-petition should not be entertained.
3. Having heard both Counsel, it appears that the petitioner has not pursued his remedy in the manner it ought to have. This petition is not only belated but also an attempt by the petitioner to invoke the writ-jurisdiction of this Court after having slept-over his rights and without availing the alternative efficacious remedy available to him before the Ombudsman.
4. In view thereof, there being an alternative and efficacious remedy available to the petitioner, the writ-petition cannot be entertained.
5. **WPA 30693 of 2024** is accordingly **dismissed** with no order as to costs.
6. Urgent Photostat Certified Copy of this order be given to the parties, if applied for.

(REETOBROTO KUMAR MITRA, J.)

