

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2083 OF 2024

HDFC Life Insurance Company Limited

... Petitioner

V/s.

Mr. Onkar Singh Sethi and anr.

... Respondents

Mr. R. S. Vidhyarthi with Mr. M. P. Tuvakhia i/by Mr. A. S. Vidhyarthi,

Advocates for the Petitioner.

None for the Respondents.

CORAM : SANDEEP V. MARNE, J.

Dated : 10 February, 2025.

PC. :

1. I have heard Mr. Vidhyarthi, learned counsel appearing for the Petitioner.

2. After having considered the submissions canvassed by Mr. Vidhyarthi, *prima facie* I am unable to trace any serious error in the view taken by the permanent Lok Adalat that the Petitioner must pay interest at the rate of 6% p.a. on the amount of premium. However, there appears to be some ambiguity with regard to period during which such interest is to be paid. It appears that the premium was paid by the Respondent No.1 to the Petitioner on 8th March, 2019 and the premium got refunded on 21st July, 2020. Ordinarily, therefore the interest at the rate of 6% p.a. on amount of

Rs.3,50,00,000/- will have to be in respect of the period from 8th March, 2019 to 21st July, 2020. For this limited purpose, notice is being issued to the Respondent No.1 returnable on 10th March, 2025. In addition to Court notice, Petitioner to serve the Respondent No.1 by private service and file affidavit of service.

3. Till the next date of service, no precipitative steps shall be taken against the Petitioner for execution of the order dated 18th August, 2023.

(SANDEEP V. MARNE, J.)