
1. The petitioners through instant petition under Article 226 of the Constitution of India are seeking direction to respondents to fulfill their statutory and constitutional obligations towards the bereaved family of Home Guard Volunteer who died in harness.
2. The petitioners are claiming that Gurvail Singh, Home Guard Volunteer sustained serious injuries while performing his official duties on 02.08.2023. He was rushed to Poonia Hospital, Sirsa for treatment. He succumbed to injuries on 06.08.2023. District Commandant, Home Guards, Haryana, Sirsa vide letter dated 29.12.2023 requested Director General, Home Guards, Chandigarh to grant financial assistance to the family of deceased employee as per departmental guidelines. The petitioners were paid Rs.5,00,000/- as *Ex Gracia* amount and Rs.2,00,000/- as welfare amount, however, were not paid substantial compensation of Rs.50,00,000/- as per insurance policy of HDFC Bank. The petitioner vide letter dated 06.08.2024 requested Center Commander,

Home Guards Department, Sirsa to grant financial assistance as per HDFC Bank Policy. The Center Commander vide letter dated 06.08.2024 forwarded the letter to District Commandant, Home Guards, Haryana. The District Commandant vide letter dated 13.08.2024 requested Director General, Home Guards Department to extend *Ex Gracia* assistance.

The respondent No.4-HDFC Bank Limited has rejected claim of the petitioner on the ground of delay. As per communication dated 16.11.2024 of HDFC Bank, in the event of death/disability of the account holder, the beneficiary has to inform insurance company through bank within 90 days of death/accidental disability and all supporting documents are required to be submitted within 180 days from the date of death/accident. The petitioner intimated at a belated stage. There is delay of 461 days in intimating the insurance company, thus, claim is liable to be rejected.

3. From the perusal of record, it is evident that claim of the petitioner has been rejected by HDFC bank which is a private legal entity. This Court cannot issue mandamus to the said entity especially with respect to commercial transaction between the parties. The petitioner has multiple alternative remedies against the impugned action.

4. In the backdrop, the present petition stands disposed of with liberty to the petitioner to avail remedies as permissible by law.

(JAGMOHAN BANSAL)
JUDGE

28.05.2025

Prince Chawla

Whether Speaking/reasoned: Yes/No
Whether Reportable: Yes/No