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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 10195/2023 and CM APPL.39505/2023

WOOLWAYS (INDIA) LIMITED (IN LIQUIDATION).....Petitioner

Through: Mr. Sajeve Deora, Adv. and Liquidator in person (through v/c)

versus

UNITED INDIA INSURANCE COMPANY LIMITED & ORS.

.....Respondents

Through: Mr. Sanjay Kumar Chhetry, Adv. (through v/c)

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **27.11.2025**

1. The present petition has been filed by the petitioner (through its liquidator) aggrieved by the dismissal of insurance claim of the petitioner as "No Claim" by the respondents *vide* a letter dated 25.09.2017. The petitioner seeks that the respondents be directed to re-consider the said insurance claim made in respect of an incident of fire which took place on 06.07.2016 at the godown/factory of the petitioner situated at D-3, Textile Colony, Ludhiana, Punjab.

2. Learned counsel on behalf of the petitioner submits that the petitioner had obtained a Standard Fire and Special Perils Policy (floater basis) bearing policy no. 2011001115P105379609 for the period between 12.08.2015 and 11.08.2016 from the respondents. Pursuant to the fire incident, the petitioner, on the very same day, intimated/communicated the said incident to the Senior Divisional Manager of respondents and also requested to depute a surveyor to assess the said claim. In furtherance of the aforesaid,

correspondence/s ensued between the petitioner and respondents. However, despite the aforesaid a letter dated 25.09.2017 was issued by the Senior Divisional Manager of the respondent stating as under:-

यूनाइटेड इंडिया इंश्योरेन्स कंपनी लिमिटेड
United India Insurance Co. Ltd.

UNITED INDIA PLATINUM

DO 5, Surya Tower, The Mall, Ludhiana - 141001
Phones: 0161-5030735, 5030725,5030734

Without Prejudice

(Regd A.D.)

Ref : DO5:CLAIM:VBS:17: \1062A

Dated : 25/09/2017

M/s. Winsways (India) Limited.
217, Industrial Area,
Ludhiana.

Dear Sir,

RE : Fire loss dated 05/07/2016 under Policy No.2011001115P105379609

With reference to your fire loss dated 05/07/2016 under policy no. 2011001115P105379609 for the period from 12/08/2015 to 11/08/2016. Er. Arun Mehta, surveyor was deputed to assess the loss. He vide his survey report no.UIIC/A-54/2017 dated 10/08/2017 has confirmed that the insured has failed to submit any claim paper and also failed to respond to any reminder and recommended the claim to file as NO CLAIM.

On the basis of the recommendation of the Surveyor, your Claim is filed as NO CLAIM. This is for your information please.

Sincerely Yours,

(Vir Bharat Singh)
Sr Divisional Manager

3. It is further submitted that aggrieved by the aforesaid, the petitioner made various representations to the respondents including through its Resolution Professional. However, to no avail.

4. In the circumstances, the primary grievance canvassed by the learned counsel on behalf of the petitioner is that the dismissal of petitioner's claim as 'No Claim' is erroneous, contrary to the facts and evidences on record and carried out without any prior intimation to the petitioner; therefore the

respondents ought to re-consider the said claim of the petitioner.

5. After some hearing, learned counsel for the respondents submits that the insurance claim of the petitioner in respect of the aforesaid fire incident shall be duly considered by the respondents on merits, on the basis of documents, that may be supplied to the respondents by the petitioner. The said statement is taken on record.

6. Accordingly, the petitioner is directed to supply all the relevant documents to substantiate its claim to the respondents within a period of four weeks from today. The respondents shall thereafter expeditiously verify the same and take further steps in terms of the insurance policy including reimbursement of necessary amount/s (as may be found admissible) to the petitioner.

7. In case any further clarification / documentation is required from the petitioner, an adequate opportunity shall be afforded by the respondents to the petitioner.

8. The petition is disposed of in the above terms.

SACHIN DATTA, J

NOVEMBER 27, 2025/cl