

Civil Writ Jurisdiction Case No.8570 of 2025

Zurich Kotak General Insurance Company India Limited (Formerly known as Kotak Mahindra General Insurance Co. Ltd.), having its registered office at 27 BKC, C-27, G Block, Bandra Kurla Complex, Bandra East, P.S. Mumbai-City, PIN- 400051, District- Maharashtra and Branch office situated at 4th Floor, 409, N.P. Centre, New Dakhniglow Road, P.S.- Kotwali, Patna, Bihar-800001 through its authorized signatory Mr. Gautam Yadav (Male), aged about 39 years.

... .. Petitioner/s

Versus

1. The Insurance Ombudsman, Office of the Insurance Ombudsman, States of Bihar and Jharkhand, 2nd Floor, Lalit Bhawan, Patna.
2. Secretary, Insurance Ombudsman, Office of the Insurance Ombudsman, States of Bihar and Jharkhand, 2nd Floor, Lalit Bhawan, Patna.
3. Council for Insurance Ombudsman, having its office at 3rd Floor, Jeevan seva Annexe, S.V. Road, Santacruz (W), Mumbai- 400054.
4. M/s Sushil Enterprises, Revelganj, Anand Nagar, Saran through its proprietor Mr. Sushil Kumar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dayanand Singh, Advocate.

For the Respondent/s : Mr. Raj Dular Sah, Advocate.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

8 17-03-2026 Today the matter has been listed under the heading
‘To Be Mentioned’ at the instance of the learned counsel for the
petitioner.

2. It has been pointed out that the prayer sought for in I.A. No. 01 of 2025 which was ordered on 23.06.2025, could not be incorporated inadvertently in the order dated 29.01.2026.

The prayer sought for in the I.A. No. 01 of 2025 is as under:-

“(vi) For issuance of appropriate writ/ order / direction



thereby quashing the Award No. IO/PAT/A/GI/0001/2025-2026 dated 11.04.2025, passed by Insurance Ombudsman, Patna with respect to Complaint Ref No. PAT-G-054-2526-0001, whereby the Petitioner Company has been directed to pay Rs. 11,29,359 along with an interest @ 8.75% to be computed from 27.12.2024 as the same has been instituted on same cause of action for which Award No. IO/PAT/A/GI/0612/2024-25, dated 10.03.2025 has already been passed by the Respondent Insurance Ombudsman.

(vii) For issuance of appropriate writ / order / direction thereby staying the operation of Award No. 10/PAT/A/GI/0001/2025-2026 dated 11.04.2025 passed by the Respondent Insurance Ombudsman during the pendency and till the disposal of the present writ application.”

3. Having regard to the above made submissions and the prayer sought for in the I.A. No. 01 of 2025, the impugned order dated 11.04.2025 in Award No. IO/PAT/A/GI/0001/2025-2026 passed by the Insurance Ombudsman, Patna is set aside and the matter is remanded back to the authority for considering the case afresh. The authority shall put the complainant on notice and direct him to make the petitioner herein a party respondent to the proceedings before the Insurance Ombudsman. In case the petitioner is impleaded as a party



respondent, the authority will then issue a notice to the petitioner herein and give him an opportunity of filing his objections. After the objections are received from the petitioner, the authority based on the evidence adduced by both the parties will pass a reasoned award giving the reasons either for allowing the claim of the Respondent No. 4 herein or rejecting the same. Any orders passed shall be communicated to the parties.

4. The order dated 29.01.2026 is modified to the extent indicated above.

5. This order shall be treated as part and parcel of the order dated 29.01.2026.

(A. Abhishek Reddy, J)

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