

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17431 of 2025

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Dharama Pal @ Dharamapalasingh S/o Shri Bakhatavar Singh, R/o. H.No.30,
Gurudwara, Village- Dhoulipahadi, Tehsil-Tapukada, District-Alwar,
Rajasthan-301411.

... .. Petitioner/s

Versus

1. Insurance Ombudsman, Patna 2nd Floor, Lalit Bhawan, Bailey Road, Patna,
Bihar-800001
2. Universal Sompo General Insurance Co. Ltd., through its Director, Ranchi,
Jharkhand-834002.
3. Universal Sompo General Insurance Co. Ltd., through its Managing
Director/Chairman, Mumbai, Maharashtra-400093.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shashi Priya, Adv.
	:	Mr. Ritwaj Raman, Adv.
	:	Ms. Pankhuri, Adv.
For Respondent No. 1	:	Mr. Raj Dular Sah, Adv.
For the Respondent/s	:	Mr. Raj Dular Sah, Adv.

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

5 25-06-2026 Heard the learned counsel for the parties.

The present writ petition has been filed for the
following reliefs:

*“(i) In the nature of writ of Certiorari for
quashing the Impugned Award dated 14.11.2023.*

*(ii) In the nature of Mandamus directing the
Respondent to consider the candidature of the Petitioner
in terms of the case of the Performa Respondent,*

*(iii) Pass any other order/ orders as deemed
fit and appropriate by this Court.”*

3. At the time of admission, notices were issued to
the respondent Nos. 2 & 3 who are the insurer in respect of the



policy taken by the petitioner herein but in spite of valid service, no appearance has been made on behalf of the respondent No. 3. Thereafter, this Court had set respondent No. 3 *ex-parte* on 30.04.2026 and directed the Registry to verify if any *vakalatanma* is filed on behalf of the respondent No. 2. Office notes is put up stating that no *vakalatanama* is filed on behalf of the respondent No. 2. Having regard to the same, the Respondent No. 2 is also set *ex-parte*.

4. Learned counsel for the petitioner submits that notice of hearing dated 30.10.2023 was served on the petitioner and immediately thereafter, the petitioner has replied to the Insurance Ombudsman, Patna on 01.11.2023 (Annexure-P/16). That the petitioner was not in a position to appear before the authority due to the short duration as the petitioner had to travel from Alwar, Rajasthan to Patna and it was not possible to obtain the train tickets. That the respondent authority without taking the same into consideration has dismissed the claim/ complaint petition filed by the petitioner herein. Learned counsel submits that the Insurance Ombudsman ought to have given sufficient time to the petitioner to participate in the proceeding before him instead of passing the order on 14.11.2023 itself.

5. Having regard to the above made submissions and



after going through the order dated 14.11.2023 passed by the Insurance Ombudsman, this Court is of the opinion that the authority ought to have given sufficient time to the petitioner to file his appearance along with necessary documents in support of his case however, the authority without giving sufficient time to the petitioner has set him as an *ex-parte* and passed the impugned order dated 14.11.2023. This Court is of the opinion that the ends of justice would be served if the impugned order dated 14.11.2023 is set aside and the matter is remanded back to the authority concerned for granting an opportunity to the petitioner to file necessary documents in support of his case grant him an opportunity of hearing and then pass a reasoned order. Accordingly, the impugned order dated 14.11.2023 is set aside and the matter is remanded back to the authority concerned for taking up the Complaint Reference No. PAT-G-052-2324-0153 again and pass a reasoned order. The authority before passing any order shall put the petitioner on notice intimating the date of hearing and giving him sufficient time preferably a period of two weeks for filing his explanation along with necessary documents before passing any orders. The authority shall also put the respondent insurance company on notice and grant them sufficient time for filing their response.



The authority shall pass a reasoned order duly taking into account the evidence put forth by both the parties. The authority shall endeavor to dispose of the complaint as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of a copy of this order. Any decision taken by the authority shall be communicated to the parties.

6. With the above direction, the present writ petition stands disposed of.

(A. Abhishek Reddy, J)

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