IN THE HIGH COURT AT CALCUTTA
ORDINARY ORIGINAL CIVIL JURISDICTION
ORIGINAL SIDE

Present:

The Hon'ble Justice Sugato Majumdar

CS/203/2016

LIFE INSURANCE CORPORATION OF INDIA
VS
DEBABRATA RAY

For the Plaintiff	:	Mr. Abhimanyu Shandilya, Adv. Mr. Biyas Banerjee, Adv. Mr. Gourab Das, Adv.
Hearing concluded on	:	09.02.2026
Judgment on	**:**	**13.02.2026**

Sugato Majumdar, J.:

The instant suit was filed by the Plaintiff, praying for recovery of money.

The Plaintiff is a statutory body carrying on insurance and allied service related business. The Defendant was appointed as an Assistant on 11/09/1996 and subsequently the Defendant was promoted to the post of Assistant Administrative Officer on 23/09/2006. In course of employment, the Defendant was posted as Assistant Branch Manager (Sales) at City Branch Office-19, from 02/12/2008 to 27/05/2013. On 10/08/2013, the officers of the Plaintiff company came to know that there was a big debit amount appearing against an account code 113811-00 (refund of first premium account). A preliminary enquiry was conducted on 11/08/2013 followed by a final enquiry on 19/08/2013. It was discovered that the Defendant had committed fraud involving insurance policies causing illegal outflow of the Plaintiff's money. Particulars of fraud are given in the plaint. The amount of fraud, as on 08/08/2016 was Rs.3,63,90,494.60/-. The Plaintiff made complaint to the Central

Bureau of Investigation and an enquiry was conducted. This apart, a disciplinary proceeding had also been initiated. The fraud was discovered for the first time on 10/08/2013. Accordingly, the Plaintiff instituted the suit, praying for recovery of a sum of Rs.3,63,90,494.60/- along with interest.

Writ of summons was served but the suit remain undefended as the Defendant did not contest the matter.

The Plaintiff's witness deposed and produced documentary evidences.

The documentary evidences includes report of CBI, Internal Enquiry Committee report, complain of the policy holders against the Defendant, final order of the disciplinary committee and others.

Unchallenged testimony of the Plaintiff, both documentary and oral, established the plaint case. This Court also noted that the fact of fraud came to the notice of the Plaintiff on 10^{th} August, 2013 and the suit was filed on 8^{th} August, 2016, within period of limitation.

In nutshell, the instant suit is allowed.

The Plaintiff do get a money decree for a sum of Rs.3,63,90,494.60/- with interest at rate of 12% per annum from the date of institution of the suit till recovery. The Defendant shall pay the amount within 2 months of drawing of the decree, in case of default of which, he will be liable to pay additional interest of 5% per annum on principal and capitalized interest from the date of default.

Let the decree be drawn up.

The instant suit stands disposed of.

(Sugato Majumdar, J.)