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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-36801-2019(O&M)
Date of decision:-09.02.2026**

Sushil Kumar Jain

...Petitioner

Versus

Life Insurance Corporation of India and others

...Respondent

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Shailesh Aggarwal, Advocate and
Mr. Yash Garg, Advocate
for the petitioner.

Mr. Akshay Jain, Advocate
for respondents No.1 and 2.

Mr. Deepak Vashisth, DAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

CM-1921-CWP-2026

1. For the reasons given in the application, it is allowed.
2. Annexures P12 to P15, are taken on record.

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3. This writ petition has a chequered history. Shorn of details, suffice is to notice that petitioner approached the Hon'ble Supreme Court assailing order dated 01.07.2013, Annexure R4 passed by this



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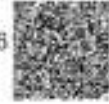
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Court whereby application filed under Order 7 Rule 11 CPC filed by the respondents was accepted and plaint filed by the petitioner for restoration of agency code has been ordered to be rejected. SLP (Civil) No.36858 – 2013 was dismissed by the Hon'ble Supreme Court on 27.01.2014, Annexure R5, with the following observations:

“We have heard learned counsel for the petitioner at some length. We are not inclined to interfere with the impugned order. Counsel for the petitioner says that the agency commission is due from the Life Insurance Corporation of India (LIC) to him. In that connection, the petitioner may, if he so desires, make a representation to the LIC. If such a representation is made, LIC may consider it on its own merits and in accordance with law. We make it clear that we are not expressing any opinion on that aspect of the matter.

The Special Leave Petition is dismissed.”

4. Petitioner submitted representation, Annexure P6, and also served a legal notice, Annexure P7, upon the respondents for release of renewal commission and restoration of agency code. However, the representation and legal notice remained undecided. Petitioner approached this Court by filing a writ petition, which was disposed of on 27.11.2018, Annexure P8, with a direction to the competent authority to consider petitioner's claim and pass a speaking order. In deference thereto impugned order dated 01.12.2018, Annexure P9, has been passed by the respondents vide which his representation has been rejected. The relevant extract of impugned order, Annexure P9, is reproduced



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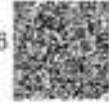
hereunder:

“And whereas, having considered his representation dated 15.10.2018, and on the basis of personal hearing and other relevant records in the matter, I am satisfied that reasonable and adequate opportunity has been afforded to Sh. Sushil Kumar Jain to defend himself fully as per the provisions of LIC of India (Agents) Rules 1972 and the principles of natural justice have been duly followed in the matter. Taking all aspects into consideration it has been found that no new facts have been brought on record by Sh. Sushil Kumar Jain in his aforesaid representation.

Having considered the facts of the case, I do not find any merit in the representation of Sh. Sushil Kumar Jain for restoration of his agency and release of commission and the same is therefore rejected.”

5. Petitioner preferred an appeal, Annexure P10, under Regulation 20 of the Life Insurance Corporation of India (Agents) Rules 1972, which has been rejected by the respondents vide impugned order dated 16.10.2019, Annexure P11, on the ground that there is no provision for reconsideration of a representation when an appeal already stood rejected by the Zonal Manager.

6. Having heard counsel for the parties, this Court is of the view that the impugned orders cannot be sustained. By its order, Annexure R5, Hon'ble Supreme Court had given opportunity to the petitioner to move representation to LIC raising claim for agency commission and respondents were directed to consider it on merits, in accordance with law. A perusal of both the impugned orders show that



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they have not been passed on merits. Rather respondents have rejected the representations by making cursory remarks. Petitioner's claim for grant of commission has not been discussed at all. This Court is of a definite view that impugned orders have been passed in breach of the directions passed by the Supreme Court and cannot be sustained.

7. For the foregoing reason, impugned orders, Annexures P9 and P11, are set aside. Respondents are directed to pass fresh orders on the representation submitted by the petitioner and consider his claim for agency commission in deference to order dated 27.01.2014, Annexure R5, passed by the Supreme Court. Necessary exercise be completed within a period of four months from the date of communication of a copy of this order.

8. Writ petition is disposed of.

(SUVIR SEHGAL)
JUDGE

09.02.2026
Brij

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No