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

+ **W.P.(C) 6156/2021 & CM APPL. 19528/2021**

NIDHI GARG & ORS.

.....Petitioners

Through: Appearance not given.

versus

LIC OF INDIA & ORS.

.....Respondents

Through: Ms. Niharika Ahluwalia & Mr. Himagn Jain, Advocates for R-3. Along with Respondent No. 3 in person.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **24.02.2026**

1. The petitioners are the widow and the minor children of late Sh. Sachin Goel and respondent no 3 is his mother. The petitioners pray for directions to respondent nos.1 and 2 to release the amount due under the LIC policy taken by late Sh. Sachin Goel proportionately in favour of the petitioners as well as respondent no.3.
2. Learned counsel appearing for the petitioners submits that respondent no.1 refused to transfer death benefits and other amounts in favour of the petitioners and according to respondent no.1, the mother of the deceased is the nominee in LIC policy. The record would indicate that respondent no.3 is the nominee with respect to the subject policies.
3. As per Section 39(7) of the Insurance Act, 1938, a nominee,



especially a parent, is a beneficiary entitled to receive the policy proceeds, and since the deceased did not change the nomination after marriage, the nomination in favour of his mother remains valid and binding.

4. If the petitioner has any claim, on the basis of their being legal heirs of the deceased, they will have to take recourse to the appropriate remedy before the Court of competent jurisdiction.

5. Under Article 226 of the Constitution of India, this Court is unable to direct the LIC to release the amount in favour of the petitioners contrary to the nomination of the deceased in his policies. The petitioners are, therefore, granted liberty to take appropriate remedy in accordance with law.

6. The Court has not expressed any opinion on the merits of the matter or the entitlement of the parties to the proceeds of the policies in question.

7. With these observations, the petition stands disposed of. Pending application also stands disposed of.

PURUSHAINDR KUMAR KAURAV, J
FEBRUARY 24, 2026/P/AMG