

CS-506-2018

Jyoti Vs. LIC & others

Present: Sh. Rohit Gupta, counsel for plaintiff
Sh. NK Zak, counsel for defendant No.1 & 2.
Sh. GS Virk, counsel for defendant No.3.

Previous cost of Rs. 500/- deposited by defendant No. 1 & 2. Online receipt placed on record. Amended written-statement filed by defendant No. 1 & 2. Replication to amended written statement not filed by plaintiff. The parties were directed to opt for any one mode of alternative dispute resolution under Order 10 Rule 1-A CPC and under Section 89 CPC, but parties have not opted. Learned counsel for the parties have stated at bar that they do not want to opt for alternative dispute resolution system and would prefer to get the dispute settled by Civil Court. So, in these circumstances, the matter cannot be referred to any of the alternative dispute mode of alternative dispute resolution. From the pleadings of the parties, the following **amended issues** are framed:-

1	Whether the plaintiff is entitled to a decree for declaration to the effect that the plaintiff is entitled to get the insurance claim of the deceased Sh. Manoj Kumar as per policy No.177723729 dated 28.07.2011 along-with interest @ 18% per annum from the date of death of Sh. Manoj Kumar alongwith consequential relief of mandatory injunction directing all the defendants to release the insurance claim for basic sum assured plus the bonus accrued under the policy along-with double sum assured for accidental death to the plaintiff as per policy No.177723729 dated 28.07.2011 along-with interest at the rate of 18% per annum from the date of death of Sh. Manoj Kumar?OPP
2	Whether suit of the plaintiff is not maintainable?OPD
3	Whether the plaintiff has no locus standi and cause of action

	to file and maintain the present suit?OPD
4	Whether the plaintiff has not come to the court with clean hands and suppressed true and material facts from the court? OPD
5	Whether the plaintiff is estopped from filing the suit by her own act and conduct?OPD
6	Whether present suit is bad for mis-joinder and non-joinder of proper and necessary parties? OPD
7	Whether this Court has got no jurisdiction to entertain and try the present suit? OPD
8	Whether present suit has not been properly valued for the purpose of court fee and jurisdiction? OPD
9	Relief

No other issue is pressed or claimed. Both the parties are directed to file lists of their witnesses, PF&DM etc. within seven days failing which no court assistance shall be provided in summoning the witnesses. To come up on **04.09.2025** for evidence of plaintiff at own responsibility.

Date of Order: 25.08.2025
Sachita, Stenographer Gr.II

(Anmol Kakkar)
Civil Judge (Junior Division)
Karnal, UID No.HR00580