

IN THE HIGH COURT OF JHARKHAND AT RANCHI
(Civil Writ Jurisdiction)
W.P.(C) No. 5601 of 2009

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Meena Devi & Anr.		 Petitioners
	Versus	
The Union of India & Ors.		 Respondents

CORAM: HON'BLE MR. JUSTICE KAILASH PRASAD DEO

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For the Petitioners		: Mr. Sunil Kumar, Advocate.
For the respondent No.4		: Mr. Amaresh Kumar, Advocate

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05/08.06.2022.

Learned counsel for the petitioners, Mr. Sunil Kumar has submitted, that petitioners have preferred this writ petition on 02.12.2009 for quashing the letter dated 20.02.2009, issued by National Insurance Company Limited, whereby the claim of Insurance for death of Ganesh Singh has been repudiated on the ground that Ganesh Singh has been killed by one Karma Munda, who has also been chargesheeted.

Learned counsel for the petitioners has further submitted, that considering the ratio laid down by the Hon'ble Division Bench of this Court in terms of order dated 12.06.2001 passed in L.P.A. No.233/2001, whereby such claim application of the claimant has been allowed, the claim of present writ petitioners may also be allowed.

Learned counsel, Mr. Amaresh Kumar appearing for the National Insurance Company Limited has submitted, that the claim has been repudiated considering the judgment passed by the Hon'ble Apex Court as referred in the impugned order, as such, this Court may not interfere with the same.

Learned counsel, Mr. Amaresh Kumar appearing for the National Insurance Company Limited has further submitted, that till date the copy has not been served upon counsel for the National Insurance Company Limited though list of retainer counsels are available before the registry of the High Court of Jharkhand.

Learned counsel, Mr. Amaresh Kumar appearing for the National Insurance Company Limited has further submitted, that in case the writ petition is allowed, the petitioners are not entitled for any interest upon the awarded amount from the date of filing i.e. 02.12.2009 till date as the copy

of writ petition has not been served upon the National Insurance Company Limited.

Learned counsel for the petitioners, Mr. Sunil Kumar has submitted, that he will serve two copies of writ petition along with annexures upon learned counsel Mr. Amaresh Kumar in course of day and will file receipt thereof.

On request of the Court, learned counsel Mr. Amaresh Kumar has submitted, that he will assist this Court on 15.06.2022 after seeking instruction in the matter.

Let the matter appears on 15.06.2022.

Office is directed to reflect the name of learned counsel, Mr. Amaresh Kumar as counsel for the National Insurance Company Limited in the cause list.

(Kailash Prasad Deo, J.)

Jay/