



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.23173 of 2025

Ramtor Prasad More

...

Petitioner

Mr. R.N. Parija, Advocate

-versus-

Union of India & Others

...

Opposite Parties

Mr. S. Sethi, CGC (OP No.1)

CORAM:
JUSTICE G. SATAPATHY

ORDER(ORAL)
19.12.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. The petitioner in this writ has challenged the order passed by the ombudsman so also that by the Insurance Company repudiating the claim of the petitioner under Annexure-1 and 2, but facts remains that the petitioner was earlier before this Court in W.P.(C) No.28928 of 2020 and this Court by way of an order passed on 04.04.2025 disposed of the said writ by observing *inter-alia* as under:-

"6.1. Therefore, the ground taken by the Company while repudiating the claim that the Petitioner since was suffering from morbid obesity and accordingly he is not covered by the policy, is not acceptable to this Court."

3. Heard Mr. Rudra Narayan Parija, learned counsel for the petitioner and perused the record.

4. It is as clear as noon that this Court by taking into consideration the terms and conditions of insurance policy has made the aforesaid observation,



but the ombudsman instead of deciding the claim of the petitioner has remanded the matter to the insurance company which again repudiated the claim reiterating the earlier reasoning, however, the petitioner instead of approaching the ombudsman has directly approached this Court, but he should have first approach the ombudsman. At this stage, Mr. Parija, seeks for a direction to the ombudsman-cum-OP No.2 to decide his claim on merit, if he approaches.

5. Accordingly, the present Writ Petition stands disposed of with an observation that in case the petitioner approaches the OP No.2 within three weeks hence, the OP No.2 shall consider the claim of the petitioner on merit within ten weeks thereafter.

(G. Satapathy)
Judge

Jayakrushna

Signature Not Verified

Digitally Signed
Signed by: JAYAKRUSHNA DASH
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Dec-2025 19:05:30

