

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 14067/2023

Bajrang Vaishnav S/o Shri Radheshyam Vaishnav, Aged About 27 Years, Kumawato Ka Mohalla, Bhagwanpura, Tehsil Shahpura, District Bhilwara (Raj.).

-----Petitioner

Versus

1. United India Insurance Company Ltd., Through Branch Manager, Bhilwara (Raj.).
2. President, Permanent Lock Adalat, Bhilwara.

-----Respondents

For Petitioner(s) : Mr. Vinay Jain with
Mr. Mudit Balia.

For Respondent(s) :

HON'BLE MR. JUSTICE SUNIL BENIWAL

Order

27/08/2025

1. This writ petition has been filed by the petitioner with the following prayer :-

“It is, therefore, prayed that by appropriate writ, order or direction, order dated 26.07.2023 (Annex.4) passed by respondent no.2 may kindly be quashed and set aside and matter be remanded back to respondent no.2 decide the case on merit on the basis of documents and pleadings submitted by both the parties.

Any other order which this Hon'ble Court deems fit and proper in the facts and circumstances may kindly be passed in favour of the petitioner.”

2. The facts in nut-shell are that a claim petition was filed by the petitioner against the respondent- insurance company for not accepting his claim, which was submitted by him before the insurance company on account of accident in relation to vehicle No. RJ-51-GA-0758. The learned Permanent Lok Adalat, Bhilwara

('PLA'), vide impugned order dated 26.07.2023, has disposed of the claim with a direction to the petitioner to submit all necessary documents before the respondent – insurance company, who in turn has been directed to decide the claim of the petitioner in accordance with law. Aggrieved by the said order, the petitioner has preferred the present writ petition.

3. Learned counsel for the petitioner submits that the learned PLA ought to have considered his claim on merits and should not have relegated the matter to the respondent– insurance company. A perusal of the impugned order reveals that the learned PLA has relegated the matter to the respondent – insurance company while taking note of the fact that despite being asked petitioner has not submitted requisite documents so as to decide the claim as submitted by the petitioner. It is also noted that the learned PLA has recorded the fact that despite repeated reminders when claimant has not submitted the documents, the respondent – insurance company has decided to close the claim.

4. Heard learned counsel for the petitioner and perused the material available on record.

5. The order impugned appears to be justified in the given fact that claim was submitted by the petitioner before the insurance company, however, supporting documents as demanded were not submitted. The insurance company thereafter issued reminders, but despite such reminders, the petitioner had not chosen to submit the requisite documents to process the claim. In these circumstances, the learned PLA was right in directing the petitioner to submit all requisite documents before the insurance company with a further direction to the insurance company to

decide the claim of the petitioner in relation to vehicle No. RJ-51-GA-0758.

6. In view of the discussion made above, this Court finds no reason to interfere in the well reasoned order passed by the Permanent Lok Adalat. The writ petition is, accordingly, dismissed.

7. All pending application (s), if any, also stand(s), disposed of.

(SUNIL BENIWAL),J

56-Rmathur/-