

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20613/2025

India First Life Insurance Company Limited

-----Petitioner

Versus

Surendra Kumar S/o Jagdish Prasad, & Anr.

-----Respondents

For Petitioner(s) : Ms. Mansi Dadhich for
Mr. Prateek Kasliwal

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

28/01/2026

1. While impugning the award dated 25.10.2024 passed by learned Permanent Lok Adalat, Sikar, learned counsel for the petitioner submits that the Deceased Life Assured - *Subhash Chand* has procured a master insurance policy on 18.10.2019 and from the documents i.e. discharge summary dated 19.12.2019 as well as discharge summary dated 19.03.2020, it is evident that the Deceased Life Assured has been suffering from cancer and has suppressed the vital information with regard to his pre-existing medical condition prior to taking the policy. Learned counsel further argued that the contract of insurance has been governed by the doctrine of *Uberrimae fidei*, i.e. the principle of utmost good faith and the Deceased Life Assured to disclose all material facts truthfully and accurately to the petitioner at the time of obtaining the policy. He further submits that in view of the above submissions, the repudiation letter dated 06.07.2021 was justified

yet the learned Permanent Lok Adalat, Sikar, ignoring all these facts, passed the impugned order.

2. Heard.

3. In view of the above, issue notice to the respondents. Notices be filed in two sets and upon filing the same, one set be sent by ordinary post and another by registered post, returnable within four weeks.

4. In the meanwhile, the effect and operation of the impugned award dated 25.10.2024 passed by the learned Permanent Lok Adalat, Sikar shall remain stayed, provided the petitioner deposits the entire awarded amount of Rs.34,94,304/-, with the Registrar (General), Rajasthan High Court, within a period of four weeks from today.

5. On depositing the entire awarded amount, the Registrar (General) is directed to keep the awarded amount in an FDR in any Nationalized Bank and the same shall not be disbursed to the respondent without leave of this Court.

(MANEESH SHARMA),J