

Life Insurance Corporation of India and Others

Vs

Smt. Kiran Sinha

Civil Appeal No. 4308 of 1984

(E. S. Venkataramiah, R. B. Misra JJ)

26.10.1984

ORDER

VENKATARAMIAH, J. -

1. Special leave is granted.
2. We have heard the learned Attorney-General and Shri A.K. Sen, learned counsel for the respondent. The High Court could not have in the circumstances of this case directed the payment of the money claimed under the insurance policies in question in a petition filed under Article 226 of the Constitution. The only remedy available to the respondent in this case was a suit before a civil court. The judgment of the High Court is, therefore, set aside.
3. The learned Attorney-General states that he would however recommend to the Board of the Life Insurance Corporation to pay a sum of Rs 40,000 to the respondent in full settlement of her claim. Shri A.K. Sen submits that the respondent would accept the sum of Rs 40,000, if paid, in full settlement of the claim against the Life Insurance Corporation. We hope that the amount will be paid to the respondent within six weeks.
4. The appeal is accordingly allowed. No costs.

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