

6063E.O. 25/6/17  
21/6/17

T.S. 758 of 2017  
Present :- M. Bandyopadhyay

Contd. Order No. 2  
14.06.2017

25.03.2004, the plaintiff submitted the proposals of those policies of Prosenjit Das along with the said medical reports. It is further case of the plaintiff / petitioner that on 31.03.2004 those 6 numbers of proposals were duly registered by LICI on appropriate receipts as per requirements. Subsequently, and eventually in the month of May' 2004, the plaintiff as learnt that Mr. Prosenjit Das had died out RTA held on 10.04.2004 on his way to Digha and on derivation of such knowledge from the nominee of the deceased, he took appropriate steps as was required by an agent like him with good reputation on 05.07.2004, the claim forms were submitted by the nominee of Sri Prosenjit Das before the <sup>B.M.</sup> ~~G.M.~~ of the LICI but surprisingly, the plaintiff received a letter on 10.08.2005 from the Senior Divisional Manager of LICI (Defendant no. 4) that the claim is a bar claim, purported one etc. and also withdrawn the authority of authorization of any moral hazards reports from the plaintiff with immediate effect. The defendants also out of vengeance initiated vigilance case being regular Vigilance Case No. VIG/EZ/811/9629 against the plaintiff and asked him ~~not~~ to stop business until finalization of the said case. It was replied by the plaintiff on 20.11.2006 disputing the contents thereof and further the plaintiff received a letter on 26.12.2006 for disciplinary proceedings against him and it was replied by him and lastly being aggrieved by the said purported decision of the said plaintiff an appeal was preferred before the Zonal Manager of LICI (Defendant No. 2) thereafter the plaintiff preferred an appeal against the order of the Divisional Manager of LICI (Defendant No. 5) having found no other alternative left behind for redressal adequately, filed a writ petition to safeguard himself being WP No. 12898(W) of 2012 which was decided with the finding that the entire proceedings conducted by the defendants is in complete breach of principles of natural justice and all purported orders of the disciplinary authority as well as the order passed by the Chairman were set aside with a direction upon the defendant to commence a fresh proceeding from the stage of submission of the reply given by the plaintiff with other required direction for conducting a fresh proceedings in the matter.

14.6.17