



217 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-835-2013 (O&M)

Date of decision : 04.03.2025

Life Insurance Corporation of India

...Appellant

Vs.

Smt. Balwinder Kaur

...Respondent

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Piyush Sharma, Advocate
for the appellant-Corporation.

Mr. Tapish Gupta, Advocate
for the respondent.

ANIL KSHETARPAL, J. (Oral)

1. The defendant (Life Insurance Corporation of India) assails the correctness of the First Appellate Court's order which in turn has reversed the judgment of the trial Court. Smt. Balwinder Kaur w/o late Sh. Jasvir Singh filed a suit for mandatory injunction directing the appellant to release Rs.1,00,000/- as insurance amount against policy No. 162278452 dated 01.07.2022. Sh. Jasvir Singh bought policy. The respondent's claim was repudiated by the appellant on the ground that Sh. Jasvir Singh failed to disclose that he used to consume liquor.

2. The First Appellate Court has held that the Insurance Company (appellant herein) has not got examined any Doctor which may prove that Sh. Jasvir Singh used to regularly consume liquor. The appellant was required to prove that there was any wrong statement on the part of the insured.



3. For that purpose, the appellant was required to lead positive evidence. Moreover, the Court has ordered payment of amount of Rs. 1,00,000/- to the widow.

4. Hence, no ground to interfere is made out.

5. The appeal is dismissed.

6. All the pending miscellaneous applications, if any, are also disposed of.

04.03.2025
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No