BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION AT SONEPAT

IN RE: COMPLAINT No..................of 2023

IN THE MATTER OF:

Mohit s/o Devender

Village Juan

Sonepat

COMPLAINANT

Vs.

New India Assurance Co. Ltd

Above Union Bank

Delhi Road   
Sonepat

OPPOSITE PARTY

COMPLAINT UNDER SECTION 35 of CONSUMER PROTECTION ACT

RESPECTFULLY SHOWETH:

1. I, Mohit, the aggrieved complainant, had procured insurance for my Murrah breed buffalo (black color, ear tag no. 160018595755) with New India Assurance Co. Ltd (referred to as the Opposite Party) under policy no. 024800. The policy was effective from 27.04.2019 to 26.04.2020, with a total insured amount of ₹88,000.
2. Unfortunately, my insured buffalo passed away on 21.06.2019 due to cardio vascular failure, a claim event that fell within the coverage terms of the policy.
3. Immediately upon the demise of the buffalo on 21.06.2019, I promptly lodged an insurance claim. I diligently submitted all the necessary documents pertaining to the death of the insured buffalo in support of my claim.
4. Despite my diligent efforts and adherence to the claims process, the Opposite Party, in a surprising turn of events, has failed to process and settle my genuine claim. This has resulted in substantial mental harassment and financial loss on my part.
5. In an attempt to seek resolution and obtain a rightful settlement, I have engaged in multiple follow-ups with the Opposite Party. These follow-ups have taken the form of phone calls, emails, and, as a last resort, a legal notice dated 14.08.2020.
6. The persistent failure of the Opposite Party to process and settle my claim demonstrates willful neglect on their part, amounting to gross deficiency in service, unfair trade practice, and a clear breach of the terms and conditions outlined in the insurance policy.
7. In light of the distress caused by the Opposite Party's negligence, I request compensation in the amount of ₹100,000. This compensation is sought to cover the financial losses incurred and to address the mental harassment endured as a consequence of the delayed and unresolved insurance claim.

Evidences:

1. Insurance Policy No. 024800
2. Claim intimation letter dated 21.06.2019
3. Legal notice dated 14.08.2020 to settlement insurance claim
4. All call records and communication with insurance company

TERRITORIAL JURISDICTION: The complainant resides within the jurisdiction of this Hon'ble Commission. Hence this Hon'ble Commission has jurisdiction to try and entertain this complaint.

PECUNIARY JURISDICTION

The total consideration amount paid in purchasing the insurance policy is less than Rs. 50 lakhs. hence this hon'ble commissin has jurisdiction to entertain this complaint.

LIMITATION: That the present complaint is being filed within the period of 2 years prescribed under section 69 of the Act, 2019.

COURT FEE: Requisite Court fee as contemplated is paid on this Complaint.

PRAYER:

In light of the facts and circumstances, I humbly pray this Hon'ble Commission:

a) To direct New India Assurance Co. Ltd to expeditiously settle my insurance claim of Rs.88,000 and additional compensation of Rs.12,000 pertaining to insured buffalo's death on 21.06.2019 and pay the claim amount with interest.

b) Pass any order deemed fit to provide justice.

PLACE:

DATED:

VERIFICATION

I Mohit, resident of Juan in Sonepat hereby declare that I have not misrepresented any facts nor have tried to hide any information in my above complaint. All the facts mentioned herein are true to the best of my knowledge.

Name & signature of the complainant