BEFORE THE HON’BLE DISTRICT CONSUMER DISPUTES REDRESSAL COMMISSION, THANE

IN RE: COMPLAINT No..................of 20.....

IN THE MATTER OF:

Smt. Damayanti Indrapal Patil

(Age 37, Female, Shree Sadguru Krupa Niwas, Behind Shree Sai Jalaram Temple, Balkum Pada No.3, Thane (West), Email: [email protected], Mobile: 9876543210)

COMPLAINANT

Vs.

The Branch Manager

Star Health and Allied Insurance Co. Ltd.

Branch office-406, 4th floor

Laxmi Commercial Complex

Near Flower Market, Dadar

Mumbai 400 028

OPPOSITE PARTY

RESPECTFULLY SHOWETH:

INTRODUCTION:

1. This complaint is filed by Smt. Damayanti Indrapal Patil, aged 37, residing at Shree Sadguru Krupa Niwas, Behind Shree Sai Jalaram Temple, Balkum Pada No.3, Thane (West). The complainant is a policyholder under the Family Health Optima Insurance Policy with policy number P/171114/01/2021/000452, valid from 19/04/2020 to 18/04/2021, with Star Health and Allied Insurance Co. Ltd.
2. The opposite party is the Branch Manager of Star Health and Allied Insurance Co. Ltd., located at Branch office-406, 4th floor Laxmi Commercial Complex Near Flower Market, Dadar Mumbai 400 028, where the insurance policy in question was purchased and the claim was submitted.

TRANSACTION:

1. The complainant availed of the Family Health Optima Insurance Policy from the opposite party and paid a premium amount of Rs. 9,152 for the policy period of 19/04/2020 to 18/04/2021. Despite fulfilling all necessary formalities, the insurance claim submitted by the complainant has not been settled by the opposite party, which amounts to a deficiency in service and unfair trade practice.
2. Details of the price of goods and services: Insurance premium paid - Rs 9,152. Details of the bill/invoice: Policy Number - P/171114/01/2021/000452. Details of payments made by the complainant: Premium paid via cheque/cash transaction.

NATURE OF COMPLAINT:

1. The complainant's grievance primarily involves non-settlement of the insurance claim under policy number P/171114/01/2021/000452. This non-action by the opposite party constitutes a deficiency in service and an unfair trade practice as stipulated by the Consumer Protection Act. The specific complaints are as follows:

Non-settlement of insurance claim.

Deficiency in service.

Failure to adhere to the terms of the insurance policy.

RECTIFICATION:

1. The complainant made several attempts to resolve the matter directly with the opposite party, including personal visits and written communications requesting the settlement of her insurance claim. Despite these attempts, no positive action has been taken by the opposite party. Consequently, the complainant has been forced to seek legal recourse to address this grievance.
2. CAUSE OF ACTION arose in Thane, where the complainant resides and where the transaction took place.

EVIDENCES:

Copy of the insurance policy document.

Receipt of the premium payment.

Correspondence with the insurance company requesting claim settlement.

Any other document that the complainant may furnish during the hearing.

TERRITORIAL JURISDICTION:

is with the Thane District Consumer Disputes Redressal Commission as the complainant resides in Thane, and the policy was also purchased from the Thane branch of the opposite party.

PECUNIARY JURISDICTION:

As the total amount involved, including the claim amount, interest, compensation for mental distress, and legal costs, is less than Rupees 50 lakhs, the complaint is being filed with the Hon’ble District Consumer Disputes Redressal Commission at Thane.

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

COURT FEE: As per Rule 7 of Consumer Protection (Consumer Dispute Redressal Commission) Rules 2020.

PRAYER:

The complainant prays for the following relief:

Directing the opposite party to settle the insurance claim as per the policy terms.

Interest on the claim amount from the due date of settlement until the date of actual settlement.

Compensation of Rs. 50,000 for mental anguish and distress caused to the complainant.

Coverage of the costs incurred in the legal process.

Any other relief that the Hon’ble Commission deems fit in the circumstances of the case.

PLACE: Thane

DATED:

NAME OF THE COMPLAINANT

VERIFICATION:

I, Smt. Damayanti Indrapal Patil, hereby declare that the contents of the above complaint are true to the best of my knowledge and belief, and no part of it is false, nor have I concealed any material facts.

(Signature of Complainant)

Smt. Damayanti Indrapal Patil