

Maya Nayak Vs LIC Of India, Talcher Branch & Another

Court: Orissa High Court

Date of Decision: May 2, 2023

Hon'ble Judges: Dr. S. Muralidhar, CJ; G. Satapathy, J

Bench: Division Bench

Advocate: Kousik Ananda Guru, P.K.Nayak

Final Decision: Dismissed

Judgement

1. The present appeal is directed against an order dated 2nd August, 2022 passed by the learned Single Judge directing that Life Insurance Corporation

of India (LIC) should disburse 1/3rd of the insurance money on the two LIC policies taken out by the deceased son of the present Appellant in favour

of his widowed wife, 1/3rd in favour of his minor son (who is staying with the mother) and 1/3rd in favour of the present Appellant.

2. The grievance of the present Appellant is that since there is a police investigation underway regarding the alleged role of the daughter-in-law of the

present Appellant in the death of her son, the money directed to be disbursed to the daughter-in-law should be kept in a fixed deposit.

3. It is seen that the FIR lodged against the daughter-in-law at the instance of the husband of the present Appellant on 6th January, 2019 is still being

investigated by the police. It appears that despite the expiry of over four years thereafter, a charge-sheet is yet to be filed. In the circumstances, the

impugned order of the learned Single Judge appears to be equitable and fair. No definitive conclusion could have been reached at this stage to deny

the daughter-in-law even 1/3rd of the estate of her deceased husband considering that she has to maintain herself as well as the minor son living with

her.

4. Consequently, the Court is not persuaded to interfere. The writ appeal is dismissed.

[illegible]