



2025:DHC:4900



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Date of Decision: 09.05.2025**

+ **W.P.(C) 3832/2025**

(14) KAPIL DEV

.....Petitioner

Through: Mr. Abhinash Agarwal, Advocate.

versus

LIFE INSURANCE CORPORATION OF INDIA & ORS.

.....Respondents

Through: Mr. Kamal Mehta, Adv.

Mr. Ravinder Agarwal, Mr. Manish Kumar Singh and Mr. Vasu Agarwal, Advocates.

+ **W.P.(C) 3873/2025**

(15) KAPIL DEV

.....Petitioner

Through: Mr. Abhinash Agarwal, Advocate.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. S.K. Tyagi, SPC and Mr. Shriram Tiwary, GP for UOI (through v/c).

Mr. Kamal Mehta, Adv.

Mr. Indraj Singh Rai, SSC alongwith Mr. Sanjeev Menon and Mr. Gaurav Kumar, Advocates for R3 to 9.

Mr. Ravinder Agarwal, Mr. Manish Kumar Singh and Mr. Vasu Agarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)

1. The present petitions have been filed by the petitioner under Article



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226 of the Constitution of India seeking, *inter alia*, that the Life Insurance Corporation of India [LIC], Central Vigilance Commission [CVC], and the concerned personnel/officers therein, be directed to conduct an appropriate investigation into the complaint/s filed by the petitioner against his father-in-law, and set aside the action of the said respondents whereby the petitioner's complaint/s were closed.

2. At the outset, it is noticed that the factual matrix is identical in these petitions, and the petitioner raises the same grounds against the common respondents. The only difference is that there are two different complaints filed by the petitioner, because of which two separate petitions have been filed. However, these complaints are also similar in nature, and are directed against the same person under similar grounds. Thus, it is considered apposite to dispose of these petitions by way of a common order. For the sake of convenience, the reference to the facts noted herein, unless mentioned otherwise, would be as per the submissions made in W.P.(C) 3832/2025.

3. It is the case of the petitioner that he got married to respondent no. 9 on 15.02.2021 at Lucknow, Uttar Pradesh. However, due to arrival of differences between them, the respondent no. 9 had left their matrimonial home on 15.09.2022.

4. It is submitted by the petitioner that when a legal notice stating irretrievable breakdown of marriage and seeking divorce by mutual consent was sent by him on 10.07.2023, the respondent no. 9 reverted with a reply on 26.07.2023 wherein she had asked the petitioner to return Rs. 50,00,000/- (Rs. Fifty lakhs) on the ground that the same was purportedly given by her father (respondent no. 8) to the petitioner at the time of their marriage. It is



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further submitted that respondent no. 9 had subsequently filed two complaint cases before the District Court at Agra, Uttar Pradesh. The first case, bearing Complaint Case No. 15028 of 2023, was filed on 11.08.2023 under the Protection of the Women from Domestic Violence Act, 2005; and the second case, bearing Complaint Case No. 24772 of 2023, was filed on 14.08.2023 under the Indian Penal Code, 1860.

5. In the above context, the petitioner contends that respondent no. 8 (father of respondent no.9 and father-in-law of the petitioner), being a government employee working in Life Insurance Corporation of India (respondent no. 1), would have to be involved in some corrupt practices to amass an amount of over Rs. 50,00,000/- (Rs. Fifty lakhs) which has allegedly been spent on marriage by respondent nos. 8 and 9.

6. Accordingly, the petitioner filed a complaint against respondent no. 8 *vide* email dated 23.10.2023, which was addressed to respondent nos. 1, 2 and 3, i.e. Life Insurance Corporation of India through its Chairman (respondent no. 1), the Chief Vigilance Officer of the Life Insurance Corporation of India (respondent no. 3), and the Central Vigilance Commission (respondent no. 2). In this email, the petitioner had highlighted a case of tax evasion and disproportionate assets, and had requested for an investigation into the source of alleged funds of Rs. 50,00,000. The same complaint was also raised by the petitioner *vide* letter dated 02.11.2023 before the Central Vigilance Commission (respondent no. 2), which was also marked to various other authorities.

7. Subsequently, a letter dated 10.11.2023 was also sent by the petitioner to the Life Insurance Corporation of India (respondent no. 1) seeking an initiation of disciplinary action / departmental enquiry against respondent



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no. 8 for, *inter alia*, violating law on account of allegedly giving dowry of Rs. 50,00,000/- (50 lakh rupees).

8. It is further stated that the Central Vigilance Commission (respondent no. 2) *vide* email dated 07.02.2024 had informed the petitioner that his complaint dated 02.11.2023 has been examined, and has been now forwarded to Lucknow based Administrative / Concerned Authorities (DGIT, Inv.), Central Board of Direct Taxes (CBDT) for further action. Subsequently, the petitioner had also written to the concerned authorities at CBDT, Lucknow *vide* email dated 08.05.2024, wherein he had made a request for taking suitable actions against respondent no. 8 in reference to the petitioner's complaint letter dated 02.11.2023.

9. It is submitted that an RTI application bearing no. DGTLK/R/T/24/00038 was filed by the petitioner on 10.05.2024, in which he had sought information on the current status of his complaint case dated 02.11.2023, along with copies of the replies submitted therein. Pursuant to the said RTI Application, a letter bearing no.CO/RTI/LICOI/R/E/24/00389/GRH was subsequently sent by the RTI department of respondent no. 1 on 15.05.2024, which stated that the complaints have been closed after conducting detailed investigations, and the copies of replies sought by petitioner is exempted from disclosure under the provisions of the Right to Information Act, 2005.

10. Subsequently, the petitioner had also written to the Principal Chief Commissioner of Income Tax on 15.05.2024 *vide* letter titled 'Tax Evasion Petition', wherein he had requested, *inter alia*, for the verification of the source of income of respondent nos. 8 and 9.

11. It is contended by the petitioner that neither any independent or



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transparent procedure was adopted during investigation by the concerned authorities, nor any intimation (and relevant records) was sent to the petitioner regarding these proceedings.

12. Having perused the petition and the documents filed by the petitioner, and having heard respective counsel for the parties, it is apparent that the present petitions are wholly misconceived.

13. Admittedly, the petitioner is embroiled in a matrimonial dispute with respondent no. 9 (daughter of respondent no. 8). Clearly, in the background of matrimonial acrimony, the present petitions have been filed by the petitioner with the oblique motive of pursuing a personal vendetta against his father-in-law (respondent no. 8).

14. It is also evident that these petitions do not reflect any valid cause of action in favour of the petitioner. The petitioner is not concerned with the terms of employment of the respondent no. 8 (petitioner's father-in-law) within the employer organisation (Life Insurance Corporation of India). The petitioner is also not concerned with the official duties discharged by the respondent no. 8.

15. The complaint submitted by the petitioner is not under any statutory scheme or any regulatory mechanism. As such, there is no question of violation / infraction of any fundamental rights or any civil / statutory right of the petitioner.

16. Moreover, highly contentious and disputed factual issues have been sought to be adjudicated, which are beyond the purview of the present proceedings under Article 226 of the Constitution of India.

17. A Division Bench of this Court had an occasion to deal with an identical situation in the case of *Ateesh Agarwal v. Union of India and Ors.*



[2025:DHC:1120-DB] in which a complaint had been filed by the petitioner therein with the Income Tax Authorities against his father-in-law for the purpose of conducting an inquiry and investigation regarding certain alleged illegal cash transactions and other monetary sum spent in the wedding ceremony of the petitioner therein. It was held by the Division Bench as under:-

- “5. *At the outset, on a query by this Court, learned counsel for the petitioner is unable to indicate as to what fundamental or statutory rights of the petitioner have been infringed or violated. From the submissions as also after perusing the pleadings of the petitioner, it appears that the present petition is predicated upon a matrimonial feud between the petitioner and respondent no.2. That apart, record also reveals that the disputes are hotly contested and involve highly complex and disputed questions of facts which will not be within the purview of the Income Tax department to adjudicate. Similarly, such disputed questions of facts also cannot be adjudicated under Article 226 of the Constitution of India. Learned counsel has also been unable to indicate the provision under which such a complaint has been submitted to the Income Tax department. Clearly, the complaint was not under a statutory scheme or a regulatory mechanism available under the Income Tax Act, 1961, thus the question of non-response to such complaint constituting violation of fundamental right or even a civil or statutory right of the petitioner, is non-existent. The said submission is unmerited.*
6. *Even otherwise, this Court finds from the nature of the complaint and the pleadings of the writ petition that the petitioner is seeking a roving and fishing inquiry through the court process. This is clearly impermissible and cannot be countenanced.*
7. *In view of the above observation, the present petition stands dismissed.”*

18. It is also notable that in the present case, the petitioner himself concedes in his pleadings that there may be no substance in his complaint against his father-in-law (respondent no. 8). In this regard, the following pleading in the petition is relevant:



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“3. It is pertinent to mention here that the father of proforma Respondent No. 9, i.e., Respondent No. 8 (father-in-law of the Petitioner) is a government employee working in Life Insurance Corporation of India, i.e., Respondent No. 1 and as such it is altogether impossible for the Respondent No. 8 to lawfully amass wealth of over Rs. 50/- lacs during lockdown period of Covid unless involved in some corrupt practices/malpractices, which in all, likelihood may not be the scenario, thus ultimately establishing beyond doubt that no dowry whatsoever was taken by Petitioner, least the purported alleged amount of Rs. 50/- lacs.”

[emphasis supplied]

19. Thus, the petitioner’s stand is replete with inconsistencies. On one hand, the petitioner is pursuing his complaint against respondent no. 8 for amassing Rs. 50,00,000 (allegedly given as dowry to the petitioner), yet, on the other hand, the petitioner denies taking any amount as dowry. The petitioner also admits in his petition that his allegation against respondent no. 8 may “not be true in all likelihood”.

20. Considering that it has been the petitioner’s own case in other judicial proceedings concerning his matrimonial disputes with his wife (respondent no. 9) that he is not in receipt of any dowry to the tune of Rs. 50,00,000/- , it does not lie in the mouth of the petitioner to file a complaint based on a contrary premise.

21. For all the above reasons, the present petitions are misconceived. The same are, accordingly, dismissed.

SACHIN DATTA, J

MAY 9, 2025/uk,kg