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

% **Date of Decision: 25th March, 2025**

+ **CM(M) 540/2025 & CM APPL. 17040/2025**

SYED AMIN CHOUDHARY

.....Petitioner

Through: Mr. M. Tarique Siddiqui, Mr.
Abhishek K. Tanwar and Mr. Mohd.
Bilal, Advocates

versus

LIFE INSURANCE CORPORATION

.....Respondent

Through: Mr. Kamal Mehta, Advocate (Through
VC)

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 17040/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 540/2025

1. Petitioner herein had filed a complaint before the learned District Consumer Disputes Redressal Forum-II, Qutub Institutional Area, New Delhi and such complaint was allowed while directing as under: -

“We allow this complaint and direct OP to pay the Sum Assured i.e. 6,00,000/(Rupees six only) + Vested Bonus under the policy to the Complainant. Besides, OP shall also pay a compensation of Rs. 20,000/- (Rupees twenty thousand only) for causing him mental agony and harassment including cost of litigation.

OP is also directed to make the above payment within a period of one month from the date of receipt of this order, failing which the said amount will fetch an interest @ 12% per annum.

A copy of this order as per statutory requirement be forwarded to the parties free of charge. Thereafter, the file be consigned to Record Room.”



2. Though the complaint was allowed by the learned District Commission, complainant felt aggrieved as he was seeking interest from the date of entitlement and his grievance was limited to the effect that though complaint had been allowed but he was not held entitled to any interest from the date of entitlement i.e. 13.02.2000 and while allowing the aforesaid complaint, learned District Commission had, merely, awarded a sum of Rs. 20,000/- towards mental agony and harassment.

3. Admittedly, aforesaid amount has already been duly paid on 06.05.2014.

4. First appeal filed, before the State Commission, was dismissed and feeling aggrieved, complainant filed a revision petition before learned NCDRC which was registered as Revision Petition No. 2998/2024.

5. Learned counsel for petitioner submits that in his revision petition also, the prime grievance was with respect to the fact that he was entitled to interest from the date of such entitlement. He contends that in such petition, it had, categorically, been mentioned that no interest had been granted to him from the month of February, 2000 till its realization and, therefore, order passed by the Commission below was bad in law. In the aforesaid revision petition, he specifically prayed that the interest @ 24% per annum may be granted on the assured amount of Rs. 6 lacs *from date of entitlement i.e. 13.02.2000 till its realization on 13.03.2024 along with pendente lite interest.* He contends that it was upto the learned NCDRC to award interest at whatever rate it may have found appropriate but fact remains that he was seeking interest from the date of entitlement and somehow his request has been misconstrued by the learned NCDRC as in the impugned order, it has been mentioned as if petitioner was merely seeking compensation @ 24% interest, instead of 12% interest.



6. Impugned order reads as under: -

1. *Heard learned counsel for the Petitioner.*

2. *Challenge is to the order dated 17.09.2024 of the State Commission Delhi vide which appeal filed by the Petitioner herein was dismissed by the State Commission. The complaint filed by the Petitioner herein was allowed by the District Commission with following reliefs:*

We allow this complaint and direct OP to pay the Sum Assured i.e. 6,00,000/- + vested Bonus under the policy to the complainant. Besides, OP shall also pay a compensation of Rs.20,000/- for causing him mental agony and harassment including cost of litigation.

OP is also directed to make the above payment within a period of one month from the date of receipt of this order, failing which the said amount will fetch an interest @ 12% per annum.

3. *The only grievance of the Petitioner before the State Commission was with respect to the rate of interest granted by the District Forum. The Petitioner herein had prayed for granting compensation etc. with 24% rate of interest instead of 12% p.a. Before this commission also, in the present Revision Petition, learned counsel for the Petitioner states that only relief sought is towards enhancement of rate of interest from 12% to 24% and he prays for no other relief.*

4. *After carefully considering the revision petition and hearing the learned counsel for the Petitioner, we do not find any merit in the prayer with respect to the enhancement of rate of interest from 12% to 24%. Accordingly, Revision Petition is dismissed.*

5. *The pending IAs in the case, if any, stands disposed off.*

6. Learned counsel for respondent appears on advance notice.

7. Learned counsel for petitioner, during course of arguments, made an alternate prayer and submitted that petitioner would be satisfied if the learned NCDRC is requested to consider the revision petition afresh, keeping in mind the grounds raised by him in the revision petition and also in terms of the prayer made thereunder.



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8. Learned counsel for respondent leaves it to the discretion of this Court to pass appropriate order.
9. After hearing both the sides and keeping in mind the averments made in the revision petition, the present petition is allowed to the abovesaid extent and learned NCDRC is requested to consider the aforesaid revision petition afresh in light of the contentions and submissions made thereunder.
10. Petition stands disposed of accordingly.
11. It is, however, clarified that this Court has not given any observation about the merits of the case as such.

(MANOJ JAIN)
JUDGE

MARCH 25, 2025/dr/shs