

47

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, LARKANA
C. P. No.D-482 of 2017.

DATE OF HEARING	ORDER WITH SIGNATURE OF HON'BLE JUDGE
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1. For orders on office objection 'A'.
2. For hearing of main case.

08 09 2020

Mr. Abdul Rehman Bhutto, advocate holds brief for Mr. Irshad Ali R. Chandio, advocate for the petitioner.

Mr. Niaz Ali M. Ansari, advocate for the respondents No.2 & 3.

Mr. Abdul Rasheed Abro, Assistant Attorney General.

Through this petition, the petitioner has sought the following relief(s):

- a. Direct the respondents to release the claim of petitioner's wife in his favour as the wife of the petitioner is policy holder bearing No.607238902-1 in the year 2010.
- b. Award costs to the petitioners.
- c. Grant any other relief which may this Honourable Court deem fit and proper in the circumstances of the case.

At the very outset we have noted that this is a matter in respect of some claim of insurance pursuant to a policy issued by the Insurance Company, and does not fall in our jurisdiction as under the Insurance Ordinance 2000, the petitioner has the remedy to approach the Insurance Tribunal constituted in terms of s.121 ibid, and the law is settled in this regard in respect of policies issued on or after 19.8.2000 as held in cases reported as Abdul Qayoom v State Life Insurance Company Limited (2011 CLD 1157), EFU General Insurance Company Limited v Duty Free Shops Limited (2013 CLD 1313), Mst. Robina Bibi v State Life Insurance Company Limited (2013 CLD 477) and Mst. Naseem Begum and others v. State Life Insurance Corporation of Pakistan and others (2014 CLD 506).

In view of such position, this petition is not maintainable before this Court and accordingly is dismissed, whereas, the petitioner may approach the Insurance Tribunal constituted under the Insurance Ordinance, 2000.

Before parting we may observe that since this petition has been inadvertently entertained by the office / this Court, the Tribunal, if approached, shall consider condonation of limitation, if any, sympathetically, in view of the above facts.

Office is also directed to take note that petitions in respect of insurance claims pursuant to a policy are not to be entertained by this Court.