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

+ **W.P.(C) 3517/2021**

FAIZAN MUMTAZ

..... Petitioner

Through: Mr. Talha Abdul Rahmay and Mr. M.
Shaz Khan, Advocate.
(M:9936084176)

versus

INSURANCE REGULATORY DEVELOPMENT AUTHORITY &
ORS. Respondents

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **17.03.2021**

1. The Petitioner is the son of late Mr. Mumtaz Ahmad who had contracted COVID-19 and was admitted to Respondent No. 5 - Max Super Speciality Hospital on 28th September, 2020. The deceased was insured for a sum of Rs. 5,00,000/-. However, the total bill at Max Super Speciality Hospital was a sum of Rs.9,13,737/-. The allegation of the Petitioner is that the hospital did not extend the benefit of the rates applicable to treatment for COVID-19 related diseases as prescribed by the Ministry of Health and Family Welfare, GNCTD vide its circular dated 20th June, 2020.

2. Thus, according to the Petitioner, the insurance company has only cleared the amount of Rs.1,63,679/- without any reasons given, whereas, the expense incurred by the Petitioner is much higher i.e., over Rs.9,00,000/-.

3. The submission of Ld. counsel for the Petitioner is that he has made a representation to the Respondent No. 1 – Insurance Regulatory

Development Authority of India (*hereinafter 'IRDAI'*). However, no action has been taken though under Section 14 of the IRDAI Act, 1999 under which the jurisdiction of the IRDAI is to protect the interest of the insured persons. Hence the present petition.

4. Issue notice to the Respondents at all the e-mail address mentioned in the memo of parties. The IRDAI shall also place its stand by filing a counter affidavit within four weeks. Let rejoinder thereto, if any, be filed within one week, thereafter.

5. Ld. counsel for the Petitioner is also permitted to serve the Respondents along with copy of today's order so that the counter affidavit shall be filed as per the prescribed timeline.

6. List on 19th May, 2021.

PRATHIBA M. SINGH, J.

MARCH 17, 2021

djAP