

**Insurance - Claim - Delay - Delay in informing the occurrence of the theft of the vehicle to the insurance company, though the FIR was registered immediately, would not disentitle the claimant of the insurance claim - Hold that when an insured has lodged the FIR immediately after the theft of a vehicle occurred and when the police after investigation have lodged a final report after the vehicle was not traced and when the surveyors/investigators appointed by the insurance company have found the claim of the theft to be genuine, then mere delay in intimating the insurance company about the occurrence of the theft cannot be a ground to deny the claim of the insured - *Concur with Om Prakash v. Reliance General Insurance & Anr.* (Civil Appeal No. 15611/ 2017 decided on 04.10.2017) that in such a situation if the claimant is denied the claim merely on the ground that there is some delay in intimating the insurance company about the occurrence of the theft, it would be taking a hyper technical view. *Oriental Insurance Co. Ltd. v. Parvesh Chander Chadha*, (Civil Appeal No.6739/ 2010 decided on 17.08.2010; 2009 (1) CLT 552, *not good law.***

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