

26.09.2023
Ct. 654
D/L 233
ab

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION**

FMA 291 of 2021
With
CAN 1 of 2018(Old No. 2824 of 2018)

National Insurance CO. Ltd.
-Vs-
Sarama Das & Ors.

Mr. Martanda Pratap Chakraborty
... for the appellant-insurance company

Mr. Martanda Pratap Chakraborty, learned advocate for the appellant-insurance company submits that the claimants have already withdrawn the amount of compensation awarded by the learned Tribunal in the execution proceedings being M. Execution Case No. 04 of 2019 and as such, the insurance company does not intend to proceed further with the present appeal. He files photocopy of the order passed in M. Execution Case No. 04 of 2019, which is taken on record.

It is found that in M. Execution Case No. 04 of 2019, the learned Tribunal has directed the Manager of Kotak Mahindra Bank, 107A, Rash Behari Avenue Branch, Kolkata- 700 029 for disbursing the awarded amount in favour of the claimants.

In the aforesaid backdrop and considering the submissions advanced on behalf of the appellant-insurance company, the appeal being ***FMA 291 of 2021*** is dismissed as withdrawn.

Liberty is granted to the insurance company to withdraw the statutory amount along with accrued interest.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary legal formalities.

(**Bivas Pattanayak, J.**)