

17.11.2023

Ct. no.654

Sl. No. 34

KB

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

**F.M.A.T.(MV) 168 of 2022
with
IA No. CAN 1 of 2022**

**National Insurance Co. Ltd.
Vs.
Sikha Singh & Ors.**

Mrs. Sucharita Paul
... For appellant-insurance company.

Mrs. Sucharita Paul, learned advocate for appellant-insurance company submits that the awarded sum has already been satisfied in execution proceeding being MACC Execution Case No.70 of 2022 and as such the insurance company does not intend to proceed further with the appeal. She prays for withdrawal of the appeal and refund of the statutory amount. She files written instruction, which is taken on record.

It is found from the written instruction as well as the submissions advanced on behalf of the insurance company that the entire awarded sum has been satisfied through execution proceeding being MACC Execution Case No. 70 of 2022.

Considering the aforesaid submission advanced by learned advocate for appellant-insurance company and the written instruction, the appeal stands dismissed as withdrawn.

Insurance company is granted liberty to withdraw the statutory amount of Rs.25,000/- deposited vide OD Challan No. 906 dated 23rd June, 2022 together with accrued interest.

All connected applications, if any, stands disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Bivas Pattanayak, J.)