

14.03.2024
SL No.12
Court No. 551
Ali

**IN THE HIGH COURT AT CALUTTA
Civil Appellate Jurisdiction**

**F.M.A. 209 of 2021
With
IA No.:CAN/1/2021 & CAN/2/2021**

**Union of India
Versus
Mansur Ali**

Mr. Avinash Kankani
...for the appellant/Union of India.

Learned advocate Mr. Avinash Kankani appearing on behalf of the Union of India submits that according to the written instruction of South Central Railway the appellant intends to withdrawal the instant appeal. Mr. Kankani submits that the instant appeal is covered by the judgment of Hon'ble Apex Court passed in **Rina Devi**. He further submits that during the pendency of the appeal the entire awarded amount has been deposited with the office of the learned tribunal. So he prayed for necessary order.

Heard the learned advocate perused the written instruction of Railway. Let the written instruction be taken on record.

It appears that the appellant i.e. Union of India is not intended to proceed further with this appeal, as the merit of the appeal is covered by the judgment of Hon'ble Apex Court passed in **Rina Devi & Ors.**

Considering the submission and the written instruction of Union of India, it is ordered that the instant appeal and the same as disposed of as not pressed.

Impugned order passed by the Tribunal is affirmed.

Interim order, if any, passed by this Court during the pendency of this instant appeal is hereby also vacated.

Connected applications, if pending are also disposed of.

The respondent/claimant is at liberty to withdraw the awarded amount.

Accordingly, the instant appeal is disposed of.

(Subhendu Samanta, J.)