

**3001
2025**

THURSDAY

Court : SCB-655
Item : DL-66
Matter : FMA
Status : DNP
Bench ID : 266053
Transcriber : NANDY

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

FMA 181 OF 2017

THE NATIONAL INSURANCE CO. LTD. & ORS.

Vs.

SUMA MONDAL & ORS.

MR. SANJAY PAUL, ADVOCATE

MS. JAITA GHOSH, ADVOCATE

.....for the Appellants/Insurance Company

1. On instruction, it is submitted by the learned Advocate of the Appellant/Insurance Company that his client does not intend to proceed further with the instant appeal as the award passed by the learned Tribunal has already been executed through the executing Court.
2. The written instruction, received by the learned Advocate in this regard and filed before this Court today, be kept with the record.
3. There is no representation on behalf of the respondents/claimants.
4. It is submitted by the learned Advocate for the Appellant/Insurance Company that the statutory deposit along with the awarded amount with the interest be handed over to the appellant/insurance company and an order may be passed to that extant.
5. It appears that the instant appeal is filed challenging the impugned judgment and award by which the compensation amount was awarded in favour of the respondents/claimants. Being aggrieved and dissatisfied with the said judgment and award, the present appeal has been preferred by the Appellant /Insurance Company.
6. Since the Appellant/Insurance Company does not

intend to proceed with the instant appeal, I do not find any justification in keeping the appeal alive in the docket of this Court.

7. The appeal being **FMA 181 of 2017** is thus **dismissed for want of prosecution.**
8. Learned Registrar General of this Court is hereby directed to hand over the deposited amount including the statutory amount as well as the awarded sum, in favour of the Appellant/Insurance Company along with the accrued interest thereof within four weeks from date.

(PRASENJIT BISWAS, J)