

**25.09.2024**

**Sl. No.5**  
Court No.30  
BM

**FMA 543 of 2012**

**Bajaj Allianz General Insurance Co. Ltd.**

**Vs.**

**Sri Kashi Nath Basak & Ors.**

Mr. Rajesh Singh

... for the appellants

Mr. Krishanu Banik

... for the respondents

Learned counsel for the appellant Insurance

Company has filed a copy of an Award passed by the Lok Adalat on 24<sup>th</sup> September, 2022. It is seen that in the said order the Insurance Company had prayed for withdrawal of the appeal and the same was allowed by the Lok Adalat and the said appeal was dismissed as withdrawn.

A copy of the said order be kept with the record.

Learned counsel for the claimant/respondent submits that he is not aware that the appeal has been withdrawn. A copy of the order be served upon the learned counsel for the respondents.

In view of the said submission, learned counsel for the appellant counters the same by submitting that he has instruction not to proceed with the present appeal.

Accordingly, the order of the Lok Adalat stands.

Learned counsel for the claimant now submits that he has filed a cross appeal being COT 20 of 2019 with IA No.:CAN 1707 of 2019.

As the COT is pending, even though the appeal has been withdrawn, the COT shall proceed in accordance with law.

Let cross objection being COT No.20 of 2019 be fixed for final hearing on 30<sup>th</sup> September, 2024.

**( Shampa Dutt (Paul), J. )**