

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT NO. 14 OF 2013

O.W. Bunker Middle East DMCC ... Plaintiff

Versus

m.t. Pratibha Bheema ... Defendant

Ms. S. Murarka i/b. Crawford Bayley and Company for the Plaintiff.
Ms. Aditi Pawar a/w. Ms. P. Patnaik i/b. Little and Company for Defendant
No. 2.
Mr. S. Ramakantha, OL, present.

CORAM : S.J. KATHAWALLA, J.
DATED : 20TH JULY, 2015

P.C.:

1. On 6th July, 2015 this Court passed the following order :
- 1. On 25th June, 2015 this Court passed the following order :*

“1. The learned Advocate for the Plaintiff states that the Advocates for the Plaintiff were informed in November 2014 that the entire group of the Plaintiff is under reconstruction. She has informed the Court that despite requests, no instructions are coming forward from the Plaintiff. In view thereof, the Advocates for the Plaintiff seeks discharge. The Advocates for the Plaintiff are therefore, discharged

from appearing in the above Suit. The said Advocate shall forward a copy of this order to the Plaintiff. It is clarified that if the Plaintiff fails to appear before this Court by themselves or through their representative/s/Advocate, the Court shall be constrained to dismiss the above Suit. Place the above Suit on 6th July, 2015, first on board”.

2. *The learned Advocate appearing for the Plaintiff on instructions seeks two weeks time on the ground that the restructuring agency - ING Vysya Bank shall within a period of two weeks decide whether they will proceed with the above Suit or withdraw the same. In view thereof, stand over to 20th July, 2015, first on board.*

3. *It is clarified that no further time shall be granted to the Plaintiff on the adjourned date”.*

2. The learned Advocate appearing for the Plaintiff states that she has not received any instructions from the Plaintiff or the restructuring agency and therefore she is unable to assist the Court in any manner. In view thereof, the Suit is dismissed for want of prosecution.

(S.J. KATHAWALLA, J.)