

Plaintiff to pay a certain sum and in the alternative, an order for sale of the vessel. It appears that the suit vessel was originally under arrest by an order dated 18 December 1999. By an order passed by a learned Single Judge on 17 November 2014 and confirmed by a Division Bench of this Court on 5 January 2015, the vessel was ordered to be released subject to there being no valid caveat against such release. In its order the Division Bench directed the Chamber Summons taken out by Defendant No.2 herein to be heard expeditiously.

2. Learned Counsel for Defendant No.2 now applies for withdrawal of the Chamber Summons with liberty to Defendant No.2 to adopt appropriate proceedings as and when the vessel is sold. The parties to the suit have no objection to the Chamber Summons being withdrawn with liberty as prayed.

3. The Chamber Summons is accordingly dismissed as withdrawn with liberty as prayed. The Court is informed that because of the pendency of the Chamber Summons, the vessel was not being released. It is clarified that there is now no restriction on the release.

(S.C. GUPTE, J.)