

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY & VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT (L) NO. 595 OF 2015

HYUNDAI HEAVY INDUSTRIES. CO. LTD ... PLAINTIFF

Versus

MV F WHALE ... DEFENDANT

Mr. Shyam Kapadia with Dr. Shrikant Hathi and Ms. Binita Hathi, i/b Brus Chambers, for Plaintiff.

CORAM : S. J. KATHAWALLA, J.
DATE : 24TH JULY, 2015

PC.:

1. The Plaintiff is the mortgagee of the Defendant vessel. The Order of arrest of the Defendant vessel was passed on June 17, 2015 and could not be arrested.
2. The Plaintiff seeks leave to withdraw the present suit with liberty to take out fresh proceedings against the Defendant vessel in appropriate jurisdiction.
3. Leave is accordingly granted. Order of Arrest dated June 17 and 18, 2015 against the Defendant vessel being m.v. F Whale stands vacated.
4. There is no Caveat against Release of the Defendant vessel, m.v. F Whale.
5. Refund of Court Fees, if any, as per Rules.
6. No orders as to costs.

(S.J. KATHAWALLA, J.)