

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT (L) NO.138 OF 2016**

COSCO Shanghai Ship Management Co. Ltd. ... Plaintiff

Versus

m.v. AODABAO IMO No.9086928 ... Defendant

Mr. Shivam Singh a/w Mr. Sharath Ramaswamy for the Plaintiff.

None for the Defendant

Mr. Shivkumar Iyer a/w Prannoy Kottaram i/b Bose & Mitra & Co., Advocate for the Caveator.

CORAM : S.J. KATHAWALLA, J.

DATED : 7TH MARCH, 2016

P.C.

1. Mentioned. Not on board. Taken on board.
2. Learned Advocate for the Plaintiff states that the Plaintiff's claim is settled, that he wishes to have the order of arrest dated 4th March 2016 vacated and to withdraw the suit. Learned Advocate for the Plaintiff further states that there is a caveat against release bearing caveat no. 11 of 2016.
3. The Advocate for the Caveator submits that the Caveator shall be filing a suit within two days.
4. In view of the same, the suit is allowed to be withdrawn, the order of arrest is vacated, and the Defendant vessel m.v AODABAO stands released from arrest in this suit. Refund of Court Fees as per Rules. Poundage payable by the Plaintiff as per Rules.

5. However, the Defendant vessel is also arrested by an order of this Court dated 7th March, 2016 passed in Admiralty Suit(L) No. 194 of 2016 and therefore the vessel is not to be allowed to sail/beached for scrapping until further orders of this Court.

6. Instrument of Release dispensed with. All concerned authorities, Port and Customs to act on a copy of the order duly authenticated as True Copy by the Associate of the Bombay High Court. The Plaintiff is at liberty to communicate this order by fax/email to all concerned.

(S.J. Kathawalla, J.)