

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY & VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT (L) NO.850 OF 2016

Norvic Shipping North America Inc ... Plaintiffs

Versus

M.V. Kiran (IMO No. 9000649) & Anr. ... Defendants

ALONG WITH
CAVEAT NO. 37 OF 2016
WITH
CAVEAT NO. 38 OF 2016
WITH
CAVEAT NO. 39 OF 2016
WITH
CAVEAT NO. 40 OF 2016

IN
ADMIRALTY SUIT (L) NO.850 OF 2016

The Great Eastern Shipping Co.Ltd. ... Caveator

IN THE MATTER BETWEEN :

Norvic Shipping North America Inc ... Plaintiffs

Versus

M.V. Kiran (IMO No. 9000649) & Anr. ... Defendants

Mr. Amanpreet Singh Gosal i/b Harsh Pratap for the Plaintiffs.
Mr. A. Majumdar i/b. Bose and Mitra and Company for the Caveator.

CORAM: S. J. KATHAWALLA, J.
DATED: 23RD AUGUST, 2016

P. C.:

1. Not on Board. Upon mentioning, taken on Board.

2. The learned Advocate appearing for the Caveator on instructions seeks to withdraw the above Caveats. In view thereof, the above Caveats are disposed off as withdrawn.

3. Pursuant to the order passed by this Court dated 19th August 2016, the Defendant No. 1 vessel was ordered to be arrested at the port of Visakhapatnam. Thereafter, the Plaintiffs have agreed to release the vessel and withdraw the Suit as the matter has been settled. Hence the following order is passed :

(i) The order of arrest dated 19th August 2016 stands vacated and the Defendant No. 1 vessel is released and allowed to sail immediately.

(ii) The learned Advocate appearing for the Plaintiffs states that a Caveat against Release No. 36 of 2016 has been filed by the Plaintiffs in the above Suit. The learned Advocate on instructions states that the Plaintiffs have agreed to withdraw the Caveat and seeks permission to withdraw the said Caveat. Accordingly, the Caveat against Release No. 36 of 2016 is allowed to be withdrawn.

(iii) Instrument of release to be dispensed with.

(iv) Liberty to the Plaintiffs and/or their Advocate to serve a copy of this Order by fax/ email/ courier/ hand delivery upon the port and customs and/or any other authority.

(v) The Prothonotary & Senior Master, High Court, Bombay, Sheriff of Mumbai, Port authorities, Customs and any other authority to act on a copy of this Order communicated to them either by fax and / or email and / or hand delivery and to grant

all clearances to the vessel to sail out without insisting on the original Order or a certified copy thereof.

(vi) The Plaintiffs undertake to pay poundage within a period of two weeks from today to the Sheriff of Mumbai.

(vii) No Orders as to costs.

(viii) The above Suit stands disposed off as withdrawn.

(ix) Refund of Court Fees, if any, as per rules.

[S.J. Kathawalla, J.]