

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2016

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.S.No.675 of 2010

Mohamed Dastagir
Sole Proprietor
M/s.Globe Maritime
No.16/4, Kasim Street
Royapettah
Chennai 600 014

... Plaintiff

Vs

Owners and Parties interested
in the Vessel MV Poseidon V
Now lying at the Port of Krishnapatnam
and represented by its Master

...Defendant

Plaint under Order XLII Rule 1 and 2 of O.S.Rules read with Order VII Rule 1 of C.P.C praying to pass a judgment and decree against the defendant (a) For a sum of USD 12,871.30 equivalent to Rs.5,98,515.68, calculated @ 1 USD=Rs.46.50 with interest at the rate of 24% p.a. from the date of this plaint till the date of this plaint till date of realisation or such sum of Indian Rupees, whichever is higher (b) For arrest and sale of the defendant vessel MV.Poseidon V in as is

where is condition, presently in Indian Waters at Port of Krishnapatnam or wherever found within the territorial waters of India (c) For a direction to adjust the same proceeds of the defendant Vessel MV POSEIDON V against the suit claim and (d) and for costs of this suit.

For Plaintiffs : Mr.Abdul Quddhose

JUDGMENT

The learned counsel for the plaintiff has submitted that the matter has been settled out of Court and he has also made the following endorsement.

“The suit may be dismissed as settled out of court.

Refund of half Court fee may be ordered.”

2. In view of the submission and endorsement made by the learned counsel for the plaintiff, this Civil Suit is dismissed as settled out of Court. Registry is directed to refund half of the Court fee to the plaintiff.

24.08.2016

PUSHPA SATHYANARAYANA.J

srn

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