

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY & VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO. 156 OF 2017

SOCIETE GENERALE

...Plaintiff

V/S

M. T. FENG HAI 10 (IMO NO. 9568158)

...Defendant

Ms. Damayanti Sen i/b Bose and Mitra & Co. for the Plaintiff.

Abhimanyu Singh, Advocate for the Defendant Vessel.

CORAM: S. J. KATHAWALLA, J.
DATE: 18th MAY 2017
(IN CHAMBERS)

P.C.

1. The learned Advocates for the parties submit that the suit has been settled out of court and have tendered Consent Terms dated 18 May 2017 signed by the Constituted Attorneys of the parties as well as their Advocates. The Consent Terms dated 18 May 2017 are taken on record and are marked “X” for identification
2. There shall be an order in terms of the Consent Terms marked “X”
3. In view of the settlement reached between the parties as set out in the Settlement Agreement dated 15 May 2017 annexed to the Consent Terms, the Admiralty Suit being Commercial Suit No 156 of 2017 stands dismissed as withdrawn.

4. Notice of Motion No. 125 of 2017 and Notice of Motion No. 195 of 2017 stands disposed of with no orders.
5. The Defendant vessel, M. T. FENG HAI 10 is ordered to be released from arrest forthwith and the order of arrest dated 17th February 2017 stands vacated. In view of urgency, the formal instrument of release is dispensed with. The Defendant Vessel M. T. Feng Hai 10 is permitted to sail forthwith.
6. There is no caveat against release of the Defendant Vessel.
7. The Defendant undertakes to pay applicable poundage within a period of two weeks from the date of this order.
8. Liberty to serve the copy of the order through fax and email. All concerned authorities including Port, Customs and CISF shall act on an ordinary copy of this order duly authenticated as True Copy by the Personal Assistant of this Court and communicated to them by fax/email/courier without insisting on the original Order or a certified copy thereof.
9. Refund of Court Fees, if any, as per Rules.

(S. J. KATHAWALLA, J.)