

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL JURISDICTION
COMMERCIAL ADMIRALTY SUIT (L) NO. 84 OF 2017**

London Steam-Ship Owners' Mutual
Insurance Association Limited

... PLAINTIFF

Versus

MV Nikolas III (IMO No. 9493937)

... DEFENDANT

Mr. Akshay Kolse Patil a/w. Ms. Jyotika Jain, and Mr. Anuj
Dhowan, i/b Bose & Mitra & Co., Advocates for the Plaintiff.
None for Defendant.

CORAM: S.J. KATHAWALLA, J.
DATED : 28TH FEBRUARY, 2017

P.C :

1. Mentioned. Not on board, taken on board.
2. Urgency is made out and therefore the matter is allowed to be moved.
3. Learned Advocate for the Plaintiff states that in light of a settlement being reached between the Plaintiff and the Defendants for the claim amount in the sum of USD

649,240.00 payable in instalments, the Plaintiff seeks to withdraw the above Commercial Admiralty Suit.

4. The Plaintiff undertakes to pay Sheriff's poundage as per High Court Rules, within 3 weeks from today.

5. Caveat book has been produced. There is no caveat against release of the Defendant Vessel.

6. The order of arrest dated 24th February, 2017 stands vacated and formal Instrument of Release is dispensed with. The Defendant Vessel is allowed to sail out.

7. Plaintiff is allowed to withdraw the Suit. The above Commercial Admiralty Suit is disposed of as withdrawn. Refund of Court Fees if any as per rules.

8. Liberty to serve the copy of the order through fax and email. All concerned authorities, including Port and Customs authorities to act on a copy of this order duly authenticated by the Associate of this Court and Communicated to them by email/fax/courier/hand delivery.

(S.J. KATHAWALLA, J.)