

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ADMIRALTY & VICE ADMIRALTY JURISDICTION****ADMIRALTY SUIT NO. 45 OF 2012****COMMERCIAL SUIT 31 OF 2012**

ESSAR STEEL LIMITED & ANR.	...	PLAINTIFFS
YURIY ARSHENEVSKIY	...	DEFENDANT

ALONG WITH**ADMIRALTY SUIT NO. 47 OF 2012**

ESSAR POWER GUJARAT LTD. & ANR.	...	PLAINTIFFS
YURIY ARSHENEVSKIY	...	DEFENDANT

ALONG WITH**ADMIRALTY SUIT NO. 50 OF 2012**

ESSAR OIL LTD. & ANR.	...	PLAINTIFFS
YURIY ARSHENEVSKIY	...	DEFENDANT

M/s. Bose & Mitra & Co., for Plaintiffs.
Mr. Bimal Rajasekhar, for Defendants.

CORAM: S.J. KATHAWALLA, J.

DATED : 27TH MARCH, 2017

P.C.:

1. Admiralty Suit No. 47 of 2012 as well as Admiralty Suit No. 50 of 2012 are shown on the cause list since the same are partly heard by this Court. Commercial Suit No. 31 of 2012 is not on board. Upon mentioning, the same is taken on board for hearing before this Court in view of the Office Circular dated 6th August, 2014.
2. The learned Advocates for the parties have tendered Consent Terms dated 27th March, 2017. They submit that the Consent Terms be taken on record

and the above Admiralty Suits be disposed of in terms of the Consent Terms. The Consent Terms along with the attachments are taken on record and marked 'X' for identification.

3. The Consent Terms are signed by the Power of Attorney holder of the Plaintiffs and the Power of Attorney holder of the Defendant. The Consent Terms are also signed by the Advocates for the parties.
4. The Prothonotary & Senior Master is directed to withdraw the Security Funds from the interest bearing fixed deposits and release payments as follows:
 - a. To issue a draft in favour of the Sheriff of Mumbai for an amount of INR 3,92,760.00/-, which is payable as poundage in the captioned Suits.
 - b. To make remittance of a sum of INR 3,88,83,240.00/- to the bank account of the Plaintiffs, net of bank charges and without any kind of deductions, as set out in the consent terms.
 - c. The balance Security Funds remaining after making remittance of the afore mentioned sums to be remitted to the bank account of the Defendants, as set out in the Consent Terms, together with the interest earned on the Security Funds.
5. The above Admiralty Suits are disposed of in terms of the Consent Terms marked 'X'.
6. Original documents filed by the Plaintiffs to be returned to them.
7. Liberty to apply, including if parties face difficulty in getting the funds released.
8. Refund of Court Fees, if any, as per rules.

(S.J.KATHAWALLA, J.)