

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ADMIRALTY AND VICE ADMIRALTY JURISDICTION**  
**IN ITS COMMERCIAL DIVISION**  
**COMMERCIAL ADMIRALTY SUIT (L) NO. 168 OF 2017**

ZUARI AGRO CHEMICALS LIMITED

... PLAINTIFF

VERSUS

MV VINALINES SUNRISE (IMO 9331878)

... DEFENDANT

Naishadh Bhatia i/b M/s. Crawford Bayley & Co. for the Plaintiff.

Kunal Shah i/b Bhatt and Saldana, Advocate for the Defendant vessel

Amanpreet Singh Gosal i/b Mr. Harsh Pratap, Advocate for the Charterer Seawind Far East Limited.

CORAM: S. J. KATHAWALLA, J

DATE: 10<sup>th</sup> APRIL, 2017

(In Chamber at 6.20 p.m.)

PC:

Not on Board. Upon mentioning, taken on Board.

1. Seawind Far East Limited, the Charterers of the Defendant vessel have agreed to pay a sum of Rs. 50,00,000 i.e. USD 80,000 within 7 days from today to the Plaintiff as full and final payment in the Suit. The Plaintiff has no objection to the said arrangement and has agreed to accept the above and to withdraw the suit immediately.
2. There is no caveat against release of the Defendant Vessel.
3. In view thereof, the Defendant Vessel is ordered to be released forthwith from the order of arrest dated 03<sup>rd</sup> April 2017 which stands vacated. In view of urgency, the instrument of release is dispensed with.

4. Plaintiff undertakes to pay poundage within a period of two weeks from the date of this order. The undertaking is accepted. Plaintiff is directed to pay poundage to the Sheriff of Mumbai within two weeks from the date of this order.

5. Neither the owners of the Defendant vessel nor the charterers have any claims against the Plaintiff.

6. All concerned authorities including port, customs, coast guard and Sheriff of Mumbai to act on an ordinary copy of this order duly authenticated by the Associate of this Court. Sheriff of Mumbai is directed to issue the letters of release addressed to the concerned authorities. Liberty is granted to communicate this order to all concerned authorities by fax and/or email and / or hand delivery without insisting on the original Order or a certified copy thereof.

7. In view of the aforesaid, the Suit is disposed off as withdrawn.

8. Refund of Court fees as per Rules.

[S.J. KATHAWALLA, J.]