

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL (ST) NO.313 OF 2014

Hypo Alpe-Adria Bank International AG ... **Appellant**
V/s.
Coramandel International Ltd. & Ors. ... **Respondents**

.....
Mr.Ashwin Shanker with Ridhi Nyati, Advocate for the
Respondents.

....

**CORAM : ANOOP V. MOHTA J.
A.M.BADAR J.**

DATED :6th FEBRUARY 2017.

ORDER :

1 Heard the counsel appearing for the respondents.
After considering the rival contentions so raised and decided by
the learned Single Judge whereby Chamber Summons taken out
by the original plaintiffs/respondents herein, an amendment in the
plaint in view of schedule was allowed. The review against the
said order was also dismissed on 28th April 2014. Therefore, this
appeal.

2 After considering the rival contentions and by keeping all defence open and as Court, while admitting the appeal, has not granted ad-interim relief, but only recorded that Admiralty Judge to proceed with the Admiralty Suit No.33 of 2010 without prejudice to the rights and contentions of the parties in this appeal. This observation, in our view, is sufficient to protect the interest of the parties. We are, therefore, by keeping all issues open, including the defence, if any, against the amendment so allowed, disposing of this appeal. The statement is made that the Admiralty Suit No.12 of 2011 filed by appellant-Ship was dismissed for want of prosecution and thereby all interim applications also stood disposed of. The statement is made that no further steps are taken against this order.

3 In view of this, by keeping all rights and contentions open, this appeal is disposed of.

4 No costs.

(A.M.BADAR J.)

(ANOOP V. MOHTA J.)