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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT (L) NO.347 OF 2017

Monjasa A/S

...Plaintiff

vs.

Tug Comarco Swift (IMO 8324206) & Anr. ... Defendants

....

Mr. Brendon Pereira, a/w. Mr. Naishadh Bhatia, i/b. M/s. Crawford Bayley & Co., for the Plaintiff.

None for the Defendants.

....

CORAM : S.C. GUPTE, J.

DATED : 7 JUNE, 2017

P.C. :

. Not on board. Mentioned. Taken on board.

2. Learned Counsel for the Plaintiff informs the Court that the disputes between the parties have been duly settled and in fact the Plaintiff has also received a part payment of USD 20,000. The Plaintiff has, after receipt of this amount, agreed to wait for the rest of the dues. The Plaintiff, in the premises, conveys its no objection to release of the vessel, which has been under arrest since 1 June 2017. Accordingly, the arrest of the Defendant vessel ordered on 1 June 2017 is vacated and the Office of the Sheriff of Mumbai is directed to forthwith release the vessel.

3. This order may be communicated by the Plaintiff to the Office

of the Sheriff of Mumbai as also to all Authorities/Port and Customs by fax/e-mail/hand delivery.

4. All parties to act on the ordinary copy of this order, duly authenticated by the Associate of this Court.

5. Learned Counsel for the Plaintiff seeks leave to withdraw the suit with liberty to file a fresh suit and apply for order of arrest in case the Plaintiff's dues are not paid.

6. Warrant of release is dispensed with.

7. The Plaintiff undertakes to pay poundage to the Sheriff in two weeks from today. The undertaking is accepted.

8. In view of the above, the suit is disposed of as withdrawn. Refund of court fees as per applicable rules.

(S.C. GUPTE, J.)