

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY & VICE ADMIRALTY JURISDICTION**

**ADMIRALTY SUIT NO.25 OF 2018
WITH
NOTICE OF MOTION NO.384 OF 2018**

CMOG Fuel DMCC)....Applicant/Plaintiff
V/s.

OSS Golden Pride)....Defendant

Ms.Bulbul Singh-Rajpurohit i/by Crawford Bayley and Co. for
plaintiff/applicant.

Mr.Raj Mehta i/by RMK Legal Services for defendant.

CORAM : K.R.SHRIRAM,J

DATE : 24.4.2018

P.C.:-

1 Counsel for plaintiff and counsel for defendant state that the suit has been settled by defendant by paying sum of Rs.42,90,000/- in full and final settlement of plaintiffs' claim in the suit. Counsel for plaintiff states that plaintiff will pay sum of Rs.42,900/- being 1% of the settlement amount being poundage to the Sheriff of Mumbai and this amount will be paid during the course of the day. Statement accepted.

Counsel undertakes to file an affidavit confirming the amount to be paid within one week from today. Undertaking accepted.

2 Counsel for plaintiff also tenders a praecipe in which there

is an endorsement made by the Execution Department at 10.55 A.M. today that there is no caveat pending against release of the defendant vessel.

3 At this stage Mr.Mehta for defendant states that there is another suit in which an order of arrest has been passed being Admiralty Suit No.17 of 2018.

4 In view of the above, Admiralty Suit No.25 of 2018 stands disposed as withdrawn.

5 Since the suit itself is withdrawn, the order of arrest stands vacated and vessel to be released forthwith subject to similar release order being passed in Admiralty Suit No.17 of 2018.

6 Advocate for defendant to communicate this order along with Sheriff's letter by fax, email, RPAD and by hand delivery to Port and Customs Authorities.

7 Instrument of release dispensed with.

8 All interim applications stand disposed.

9 Refund of court fees in accordance with Rules.

10 All to act on an authenticated copy of this order.

(K.R.SHRIRAM,J)