

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

ADMIRALTY SUIT NO.17 OF 2018

American Gen. Tr.Co. LLC)....Plaintiff
V/s.

MV Golden Pride)....Defendant

Mr.Anil Vishnoi i/by Ashwin Shanker for plaintiff.

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

CORAM : K.R.SHRIRAM,J

DATE : 24.4.2018

P.C.:-

- 1 Not on board. Upon mentioning papers produced.
- 2 Counsel for plaintiff and counsel for defendant state that the suit has been settled by defendant by paying sum of Rs.14,41,338/- in full and final settlement of plaintiffs' claim in the suit and hence plaintiff be permitted to withdraw the suit. Counsel tenders an affidavit of one Sudarshan Gujar affirmed on 24.4.2018 confirming this settlement amount and it is taken on record. Counsel for plaintiff states that plaintiff or the advocate for plaintiff shall pay sum of Rs.14,413.38 rounded off to Rs.14,414/- being 1% of the settlement amount as poundage to the Sheriff of Mumbai and this amount will be paid within one week from today. Statement accepted.
- 3 Counsel for defendant states that there is no caveat against

release of the vessel pending. The Execution Department has forwarded the register to the Court and the Associate of this Court having checked the register, confirms that there is no caveat entered in the register against release of the vessel.

4 In view of the above, Admiralty Suit No.17 of 2018 stands dismissed as withdrawn.

5 Since the suit itself is withdrawn, the order of arrest stands vacated and defendant vessel GOLDEN PRIDE to be released forthwith.

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. Instrument of release dispensed with.

7 Refund of court fees in accordance with Rules.

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

(K.R.SHRIRAM,J)