

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE-ADMIRALTY JURISDICTION
JUDGES ORDER NO. 63 OF 2018
IN
COMMERCIAL ADMIRALTY SUIT (LODG.) NO. 12 OF 2018**

IDBI Bank Limited

.. Plaintiff

Vs.

1. M.V. MALAVIYA THIRTY THREE
(IMO 7809118) & Ors.

.. Defendants

Mr. V.K. Ramabhadran, senior advocate a/w. Mr. Akshay Kolse-Patil, Mr. Naishadh Bhatia and Ms. Bulbul Singh-Rajpurohit i/b M/s. Crawford Bayley and Co. for applicant.

Mr. Mahendhar Aithe, company prosecutor for official liquidator present.

Mr. Bhushan Chandra Das- Representative of IDBI Bank present in Court.

CORAM : K.R.SHRIRAM, J.

DATE : 28TH MARCH 2018

P.C.

1 Shri Ramabhadran appearing for plaintiff is not pressing for arrest of the vessel at this stage because the Court, vide order passed today in Company Application (Lodg.) No. 161 of 2018 in Company Petition No. 756 of 2014, in view of the statement made by plaintiff therein, has already permitted plaintiff to take over the safety and manning of the seven vessels and it means the vessels will be in effective control and possession of plaintiff. Shri Ramabhadran seeks leave to withdraw the judges order with leave to plaintiff, if advised, to apply to the official liquidator or to the Court for sale of the vessel.

2 Judges order dismissed as withdrawn with the leave as prayed for.

(K.R. SHRIRAM, J.)