

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

**ADMIRALTY SUIT NO. 40 OF 2016
WITH
JUDGES ORDER NO. 96 OF 2016
IN
ADMIRALTY SUIT (LODG.) NO. 472 OF 2016
WITH
NOTICE OF MOTION NO. 2522 OF 2016
IN
ADMIRALTY SUIT NO. 40 OF 2016**

Tomy Thomas .. Plaintiff
Vs.
M.V. MANAK-1 & Ors. .. Defendants

**WITH
ADMIRALTY SUIT NO. 8 OF 2017**

Ganjendera Singh Pundhir .. Plaintiff
Vs.
M.V. MANAK-1 & Ors. .. Defendants

**WITH
ADMIRALTY SUIT NO. 20 OF 2017**

Mani Sankar Das .. Plaintiff
Vs.
M.V. MANAK-1 & Ors. .. Defendants

Ms. Jane Cox i/b Karishma Rao for plaintiff (in all suits).

Mr.Vagish Mishra a/w. Mr.Uttam Kumar Dubey I/b Law Counsellors for
defendant Nos.1 and 2 (in all suits.)

Ms.Prachi Jadhav I/b Ashish Mehta for defendant no.3 (in all suits).

**CORAM : K.R.SHRIRAM, J.
DATE : 14TH AUGUST 2018**

P.C.

1 Ms.Jane Cox for plaintiff states that plaintiff has paid all the amounts

as recorded in the order dated 8th August 2018. Ms. Cox states that in Admiralty Suit No.20 of 2017, defendants have handed over a Pay Order of Rs.25,230/- drawn in favour of Prothonotary and Senior Master, High Court, Bombay towards Court fees and this pay order will be submitted to the Prothonotary and Senior Master during the course of today.

Statement accepted.

2 Ms.Cox also states that in Admiralty Suit No.40 of 2016, poundage of Rs. 20,500/- is payable and this is being paid by defendants. Ms.Cox states that she has received a Pay Order drawn in favour of Sheriff Mumbai for Rs.20,500/- towards poundage. Ms.Cox states, the Pay Order will be handed over to the Sheriff of Mumbai on 16th August 2018. Ms.Cox points out that the Pay Order is in favour of 'Sheriff Mumbai' and not 'Sheriff of Mumbai'. Mr.Mishra states that if there is any problem then defendants will replace the Pay Order with proper Pay Order.

3 Mr. Mishra informs that defendant no.1 vessel has been arrested in another Suit being Admiralty Suit No.31 of 2017. Mr. Mishra states that therefore, defendants will apply for release of the vessel after the order of arrest is vacated in Admiralty Suit No.31 of 2017 and subject to no caveat against release is pending.

4 Ms.Cox states that in Admiralty Suit No.40 of 20116 and Admiralty
Suit No.8 of 2017, evidence of plaintiff's witness has been recorded and
original documents have been filed. Ms.Cox seeks leave to withdraw
original documents by substituting the same with photocopies duly
authenticated as true copy by the advocate on record for plaintiff.

5 The Prothonotary and Senior Master to return original documents to
the advocate for plaintiff upon receiving photocopies of those documents
with the endorsement as true copy of the advocate on record for plaintiff.

6 All the suits accordingly disposed.

7 Refund of Court fees, if any, in accordance with Rules.

8 All interim applications stand disposed.

9 All concerned to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)

Shraddha
Kamlesh
Talekar
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signed by
Shraddha
Kamlesh
Talekar
Date:
2018.08.16
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+0530

Shraddha Talekar PS