

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

**ADMIRALTY SUIT NO. 9 OF 2017
WITH
COMPLAINT NO. 46 OF 2017
WITH
SHOW CAUSE NOTICE NO.1119 OF 2017
WITH
NOTICE OF MOTION NO. 366 OF 2018
WITH
NOTICE OF MOTION NO. 671 OF 2018
IN
JUDGES ORDER NO.70 OF 2017
IN
CONTEMPT PETITION NO. 46 OF 2017**

Seban Construction .. Plaintiff

Vs.

MV SAKARYA (IMO 9257199) .. Defendant

Ms.Bulbul Singh-Rajpurohit I/b Crawford Bayley and Co. for
plaintiff/petitioner.

Mr.Mihir Govilkar I/b Govilkar and Associates for applicant in
NMS/671/2018.

CORAM : K.R.SHRIRAM, J.

DATE : 6TH JULY 2018

P.C.

1 Shri Mihir Govilkar for applicant in Notice of Motion No.671 of 2018 states that on 9th March 2018, applicant had given an undertaking to pay Rs.20 lakhs by 30th June 2018 and that amount has been paid. Shri Govilkar states that the Court had directed applicant to pay a sum of Rs.3 lakhs as interest along with last installment on 30th June 2018 which the counsel states applicant has not been able to pay.

2 Shri Govilkar states that they will pay a sum of Rs.50,000/- by today itself, by way of cheque drawn in favour of advocate on record for plaintiff and the balance Rs.2,50,000/- will be paid on or before 31st July 2018. Applicant Shri N.V.V.Chowdhary is present in Court and therefore, Shri Govilkar assures that he will not seek any further extension.

2 Therefore, purely as indulgence, stand over to 3rd August 2018 for directions.

CONTEMPT PETITION NO. 46 OF 2017

3 Since the entire principal amount has been paid and towards interest, Rs.50,000/- has been paid and the balance the alleged contemnors have agreed to pay by 31st July 2018, the alleged contempt I would accept as purged.

4 Contempt Petition stands disposed.

It is made clear that if the amount of Rs.2,50,000/- is not paid, the Court will issue fresh suo motu contempt notice against respondents.

Non-bailable warrant issued stands cancelled.

Show Cause Notice No.1119 of 2017

In view of the above order passed. Notice disposed.

NOTICE OF MOTION NO. 366 OF 2018

5 In view of the above order passed, the company petition does not survive and stands disposed.

(K.R. SHRIRAM, J.)