

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL SUIT NO.471 OF 2017
WITH
NOTICE OF MOTION NO.424 OF 2017
IN
COMMERCIAL SUIT NO.471 OF 2017**

Proactive Ship Management Private LimitedPlaintiff

Vs.

m.v. Shiv Shakti and AnotherDefendants

Mr. Manoj Khatri for plaintiff.

Mr. Kumar Gaurav, constituted attorney of plaintiff present.

Mr. Chandrakant Padyal, constituted attorney of defendants present.

Mr. S.D. Chitgopikar, Deputy Sheriff of Mumbai present.

CORAM : K.R.SHRIRAM, J.

DATE : 22nd JANUARY, 2018

PC.:

1 Parties have entered into settlement agreement dated 22nd January, 2018. The settlement agreement signed by the authorised representative of plaintiff, constituted attorney of defendant and advocate for plaintiff is taken on record and marked 'X' for identification. Mr. Khatri, counsel for plaintiff states that defendants have not engaged any advocate. Mr. Khatri states that the authorised representative of plaintiff and constituted attorney of defendant are present in Court and identify them.

2 Order in terms of settlement agreement. All undertakings given in the settlement agreement are accepted and so ordered.

3 Mr. Chitgopikar, Deputy Sheriff states that he has received a pay order for Rs.80,000/- being 1% of the settlement amount.

4 Defendant no.1 vessel allowed to be released. Instrument of release dispensed with.

5 Suit accordingly stands disposed. Refund, if any of court fees in accordance with rules. All interim applications stand disposed. All interim orders also stand vacated.

6 All to act on a copy of this order duly authenticated by the Associate of this Court.

(K.R. SHRIRAM, J.)