

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
ADMIRALTY SUIT (L) NO.7 OF 2019**

Jotun India Pvt. Ltd.	...	Plaintiff
versus		
m.v. Nafisa 1 and Anr.	...	Defendant

Mr. Vishal Sheth I/by Mr. Mr. Bimal Rajsekhar for Plaintiff.
Mr. Sujeet Kurup, for Defendant Nos.1 and 2.

CORAM: S.J. KATHAWALLA, J.
DATE: 18th FEBRUARY, 2019

P.C.:

1. Not on board. Upon mentioning by Defendants, taken on board.
2. Heard Counsel for Plaintiff and the Advocate for the Defendants. With the consent of parties, the following Order is passed:
 - (a) The Defendants agrees to pay, and the Plaintiff agrees to accept Rs.7,34,782 in full and final settlement of the Plaintiff's claim in the suit.
 - (b) Advocate appearing for the Defendants has handed over to the Counsel appearing for a Plaintiff a demand draft, issued by Indian Overseas Bank, dated 18.02.2019, bearing number 833272 for a sum of Rs. 7,34,782, the receipt of which pay order is acknowledged by the Plaintiff's Counsel.
 - (c) Advocate appearing for the Defendant, on instructions, states that the Defendants undertakes to pay Rs. 7,348 towards poundage (being 1% of the settlement amount) to the Sheriff of Mumbai, within 48 hours.

(d) Parties confirm that they do not have any claims against the other in respect of transactions forming the subject matter of this suit or arising out of arrest of the 1st Defendant vessel.

3. Counsel appearing for the Plaintiff states that in view of the above settlement, he wishes to withdraw the suit. Accordingly, the suit is allowed to be withdrawn.

4. Order of arrest dated 8.02.2019 stands vacated and the 1st Defendant vessel – NAFISA 1 - stands forthwith released from arrest. Instrument of release dispensed with.

5. Prothonotary & Senior Master and all concerned authorities (including the Sheriff of Mumbai) to act on a copy of this order duly authenticated as True Copy by the Associate of the Bombay High Court.

6. Refund of Court Fees as per Rules.

7. No order as to costs.

(S.J.KATHAWALLA,J.)