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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL ARBITRATION PETITION (L) NO.359 OF 2019

Platina Bulkera Private Limited	...Petitioner.
Versus	
Samruddha Resourcea Limited and 9 ora	...Respondenta

Mr. Ashwin Shankar, for the Petitioner.

Mr. Anuj Dawan, for the Respondent.

CORAM : G. S. KULKARNI, J.

DATE : 4th APRIL, 2019

P.C. :

1. This petition waa heard on 1st April, 2019, when this court had paaa following ad-interim order, which reada thua :-

"1] Not on board. Taken on board.

2] Heard the learned counael for the petitioner. Perused the documenta aa placed on record.

3] Praecipe ia moved on behalf learned counael for the petitioner for the following urgent reliefa:-

“(d) for an order of attachment of Respondent No.1'a cargo of iron ore finea being laden on board the veael SBI TAURUS at Port Redi,

Maharashtra, for a sum of US Dollars 380,000;

(e) for an order and direction attaching the Bills of Lading in the hands of Respondent No.2, before they are issued to Respondent No.1 for the cargo loaded on board the vessel SBI TAURUS at Port Redi, Maharashtra covering loaded Iron ore cargo for a value of US Dollars 380,000;

(f) for an order and direction against Respondent No.2 to hold back payment of US Dollars 380,000 from the sale value being paid to Respondent No.1, for a sum of US Dollars 380,000, for the cargo of iron ore fines being sold, carried on the vessel SBI TAURUS.

(g) for an order and direction to Respondent Nos. 4 to 10 to deposit into this Hon'ble Court as security for the petitioners claim, a sum of US Dollars 380,000 from the moneys that may be holding on behalf of respondent No.1.

4] The case of the petitioner is that the respondent No.1, having its office at Worli, Bombay, is liable to pay the petitioner an amount of Rs.380,000/- US Dollars including interest and costs. To support this contention, learned counsel for the petitioner has drawn my attention to various documents on record showing admission of his liability, by respondent No.1. Learned counsel for the petitioner has also referred to the averments as made in paragraph No.14 of the petition to contend that a Cargo of respondent No.1 is scheduled to be shipped to respondent No.2. This on the basis of a shipping bill (at page No.79 of the paper Book).

5] Having perused the documents as placed on record and having heard the learned counsel for the petitioner, at this stage, in my opinion, in the interest of justice the respondent No.1 is directed to maintain status quo in respect of the Cargo MV SBI Taurus, as referred in

the Shipping bill (at exhibit "G" page No.79 of the of the paper book.) dated 19.3.2019, till the next date.

6] Learned counsel for the petitioner is permitted to serve private notice on respondent No.1, by enclosing a copy of the order passed by this Court.

7] If despite service respondent No.1 fails to remain present, the Court shall proceed to pass such further appropriate orders.

8] Stand over to 02.04.2019".

2] Thereafter on 2nd April, 2019, as the respondent did not appear before the court, Court had continued ad-interim reliefs, keeping the petition on 16th April, 2019, by issuing notice to the respondent.

3] Today learned counsel for the parties have tendered Consent Minutes of the order, by which it is stated that the parties have resolved their disputes and differences. The Consent Minutes are signed by the petitioner and respondent No.1, and initialled by their advocates. The consent minutes of the Order are accordingly taken on record and marked "X" for identification. The petition is accordingly disposed off in terms of the consent minutes of the order.

The undertakings as made on behalf of the respondent No.1 in paragraph No.2 of the consent minutes of the order stand accepted.

4] The petition is disposed of in terms of the consent minutes of the order. No costs.

(G. S. KULKARNI, J.)