

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION**

COMMERCIAL ADMIRALTY SUIT NO.9 OF 2018

Capt. Brijesh Kumar Shukla and Ors.Plaintiffs

Vs.

LPG Maharshi Bhavatreya (IMO No.8821694) and Ors.Defendants

WITH

COMMERCIAL ADMIRALTY SUIT NO.41 OF 2018

Noel D'Cruz and Ors.Plaintiffs

Vs.

LPG Maharshi Shubhatreya (IMO No.8114716) and Ors.Defendants

WITH

COMMERCIAL ADMIRALTY SUIT NO.42 OF 2018

Naqeebuddin Salahuddin Kassmi and Ors.Plaintiffs

Vs.

LPG Maharshi Bhardwaj (IMO No.9007570) and Ors.Defendants

Mr. Rishabh Saxena i/b. Bose and Mitra and Company for plaintiffs in all suits.

Ms. Shweta Sadanandan i/b. Mr. Ashwin Shanker for defendant nos.3 to 9 in all suits.

CORAM : K.R.SHRIRAM, J.

DATE : 22nd OCTOBER 2019

P.C.:

COMMERCIAL ADMIRALTY SUIT NO.9 OF 2018

WITH

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1 Counsel state that these suits are filed by the crew members and the Court has passed orders directing the registry to release certain payments to plaintiffs. Mr. Saxena, counsel for plaintiffs states that some of

the crew members are yet to receive payment from the registry and the process is on. Mr. Saxena seeks leave to withdraw these suits with liberty to apply to this Court for appropriate directions in case the release of payment gets stuck. Mr. Saxena states that the release is only an administrative action to be taken by the registry.

2 In the circumstances, suits stand dismissed as withdrawn with the liberty as prayed for. Refund, if any, of court fees in accordance with rules. Interim applications, if any, also stand disposed.

3 In case there is a shortfall, liberty to given to plaintiffs to apply to the Liquidator of Varun Resources Limited provided the claim is lodged within four weeks from today. If so applied within four weeks, the Liquidator will consider the application on merits even if the claim has been lodged beyond the notice period given by the Resolution Professional/Liquidator by condoning the delay.

4 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)