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**A.No.1388 of 2020 in
C.S.No.152 of 2020**

ABDUL QUDDHOSE, J.

Learned counsel for the defendant submits that consent terms were filed before this Court and the same was also taken on record by this Court on 26.06.2020. As per the terms, the defendants agreed to pay the dues to the plaintiff. But according to him, till date, the same has not been paid.

2. The present suit is an Admiralty Suit and the vessel is the defendant. Admittedly no security has been given by the owners of the defendant/vessel in respect of suit claim. This Court is of the prima facie view that if at all the defendant has not complied with the consent terms, the remedy available for the plaintiff to prosecute against the owners of the defendant/vessel is filing an ordinary civil suit before the competent Civil Court or through an arbitration if there is an arbitration clause under the consent terms.

3. Learned counsel for the plaintiff seeks time to get instructions for withdrawal of the suit.

4. Post the matter on 03.01.2022.

21.12.2021

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