

OD- 2

AS/4/2017
IA NO: GA/3/2018 (OLD NO: GA/3105/2018)
GA/5/2019
IN THE HIGH COURT AT CALCUTTA
ADMIRALTY JURISDICTION
ORIGINAL SIDE

BIRLA CORPORATION LTD.
VERSUS
THE O/P INTERESTED IN THE VESSEL
MV HERMANN SCHEPERS AND ANR.

BEFORE:

The Hon'ble JUSTICE SHEKHAR B. SARAF

Date : 28th September, 2021.

[Via Video Conference]

Appearance:

Mr. Sarvapriya Mukherjee, Adv.

Mr. Debraj Sahu, Adv.

Ms. Debjani Ghosh, Adv.

Mr. Bhaskar Mukherjee, Adv.

Ms. Nafisa Yasmin, Adv.

. . .for the plaintiff.

Mr. Shashwat Nayak, Adv.

Ms. Alakananda Das, Adv.

. . .for the defendants.

The Court: Heard counsel appearing for the parties.

Submission is made on behalf of both the parties that the matter has been settled between the parties in terms of the terms of settlement.

The Terms of settlement filed in Court today be taken on record. The terms of settlement is signed by the parties and the advocates on record.

In light of the same, decree may be passed in line with the terms settled between the parties at paragraph 6 of the terms of settlement. The decree shall incorporate the terms as mentioned in the terms of settlement.

In that view of the matter, I direct the learned Registrar, Original Side to encash the fixed deposit and immediately pay the plaintiff the amount as per the terms of settlement and the balance after adjustment of any other dues under the Original Side Rules to Mrs. Alamananda Das, the Advocate on Record of the defendants with a direction upon the said Advocate on Record to remit in compliance with all formalities, after all permissible deductions, to their foreign client.

In view of the settlement between the parties, AS/4/2017 be decreed in terms of the terms of settlement.

IA NO. GA/3/2018 (OLD No. GA/3105/2018), GA/5/2019 are disposed of in terms of the terms of settlement filed in Court today.

In view of the decree passed today, all pending applications are disposed of.

The department is directed to draw up the decree as expeditiously as possible.

(SHEKHAR B. SARAF, J.)

Sp/