

Santosh

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

COMM ADMIRALTY SUIT NO. 38 OF 2022

Ocean Marine International ...Plaintiff

Versus

MV LEWEK ALTAIR (IMO NO.9413183) &
Anr.

...Defendants

Ms. Apurva Mehta (Pohonerkar), for the Plaintiff.
Mr. Abhimanyu Singh, for the Defendant – Vessel.

CORAM: N. J. JAMADAR, J.

DATED : 30th AUGUST, 2022

ORDER:-

1. Heard the learned Counsels for the parties.
2. The Defendant no.1 vessel was arrested by an order dated 21st April 2022.
3. Ms. Mehta, the learned Counsel for the Plaintiff, submits that the Plaintiff has received payment towards the Suit claim and seeks leave to withdraw the Suit against the Defendants.
4. Ms. Mehta submits that she has verified the Caveat Register and there is no Caveat against the release of the Defendant Vessel, except Caveat (against Release) No. 450 of 2022 filed on behalf of the Plaintiff.
5. I have verified the Caveat Register. Apart from the Caveat No.450 of 2022, filed on behalf of the plaintiff, on 31st March,

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Date: 2022.08.30
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2022, there is no other Caveat against the release of the defendant – vessel. Section Officer, Execution Department, has certified that apart from the Caveat No.450 of 2022, no other Caveat is registered as of 10.22 am., 30th August, 2022.

6. Ms. Mehta undertakes to pay all charges of Sheriff's office within one week from today.

7. Leave granted.

8. The Suit stands disposed as withdrawn.

9. The Order of arrest dated 21st April 2022 stands vacated and the Vessel, MV LEWEK ALTAIR (IMO NO. 9413183) stands released. Instrument of Release is dispensed with.

10. The Caveat (against Release) No.450 of 2022 stands discharged.

11. The plaintiff is entitled to the refund of court fees, as per rules.

12. Parties are at liberty to forward a copy of the communication from office of the Sheriff of Mumbai along with a copy of this Order by Fax/ E-mail/Hand Delivery/RPAD to the Port and Customs Authorities.

13. All concerned including port and custom to act on copy of this order duly authenticated by Associate of this Court.

[N. J. JAMADAR, J.]