

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
COMM. ADMIRALTY SUIT NO.34 OF 2022**

United India Marine Services and and Ors. ... Plaintiffs
Versus
M.V.Halani 6 and Ors. ... Defendants

Mr. Abhishek Khare with Mr. R.P.Shirole i/by Khare Legal for Plaintiffs.
Mr. Siddharth Manek i/by Crawford Bayley and Co., for Defendants.

CORAM: N.J.JAMADAR, J.

DATE: 11th OCTOBER, 2022

P.C.:

1. Heard the learned Counsel for the parties. The learned Counsel submit that the parties have amicably resolved the dispute and Consent Terms have also been executed. The learned Counsel seek leave to tender Consent Terms.
2. Leave granted.
3. Mr. Kamlesh Kumar, Director of Plaintiff No.1 is present in Court. Mr. Jayesh Hasrajani, Director of Defendant No.2 is also present in Court. They admit the contents of the consent terms and execution thereof. They are identified by their respective Advocates. Upon being inquired, the parties submit that they have executed the consent terms out of their own volition.
4. It seems that the consent terms have been executed voluntarily and there does not seem to be any coercion or duress.

5. Hence, the Consent Terms are taken on record and marked 'X'.
6. The Suit stands decreed in accordance with the Consent Terms, 'X'.
The Consent Terms shall form part and parcel of the decree.
7. The Plaintiffs are entitled to refund of Court fees, if any, as per rules.
8. In view of the settlement of the dispute in accordance with the Consent Terms, the order of arrest dated 10th May, 2022 stands recalled.
9. The Admiralty Registrar has submitted a report to the effect that caveat warrant book against release of the Defendant No.1 Vessel has been verified and there is no caveat against the release of the Defendant No.1 vessel as of 1.40 p.m. In view of the above, the authorities including Port Trust, shall allow the Defendant No.1 Vessel to sail.

(N.J.JAMADAR, J.)