

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
COMMERCIAL ADMIRALTY SUIT NO. 8 OF 2020

Juda Thadeus Thoppil Joseph ... Plaintiff
vs.
Sale proceed of the Vessel ... Defendants
M.V.PFS Brave IMP No. 9428580 and 2 Ors.

Ms. Subra Karmakar for the Plaintiff.
Ms. Tripti Sharma i/b. M/s. Bose & Mitra & Co. for Defendant no.3.

CORAM : A. K. MENON, J.
DATED : 22nd FEBRUARY, 2022

P.C. :

1. Called for dismissal. Ms. Karmarkar states that she has no instructions from her client. The suit seeks to recover a sum of Rs.11,31,260/- apparently towards wages said to be outstanding. Vide order dated 27th November, 2019 this court permitted the plaint to be lodged and to be numbered subject to the plaintiff statement that he will not abandon the suit if he is paid out of court. Despite this the plaintiff apparently has not instructed his Advocates in the conduct of this proceedings.

2. Today Ms. Karmarkar states that she could not remain present on the last two occasions due to personal reasons. That can be excused, but not the conduct of the plaintiff. The request of the learned counsel to be discharged

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today is declined. The plaintiff not having shown any inclination to proceed with the suit, the suit is today listed for dismissal. Accordingly I pass the following order :

- (i) Suit is dismissed for default.

(A. K. MENON, J.)