

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE-ADMIRALTY JURISDICTION**

**INTERIM APPLICATION NO. 1598 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO. 18 OF 2022**

The Board of Mumbai Port Authority ... Plaintiff
Versus
DLB Nand Gaurav & Ors. ... Defendants

**WITH
INTERIM APPLICATION NO. 707 OF 2023
IN
COMMERCIAL ADMIRALTY SUIT NO. 18 OF 2022**

Ms. Nina Motiwalla i/b Motiwalla & Co. for the Plaintiff.
Ms. Ritika Kudia with Ms. Pooja Gondhali i/b Flavia Legal for the Defendant No.4.
Mr. Prathamesh Kamat with Mrs. Apurva Mehta i/b ANB Legal for the Applicant in IA 3521/25 and for the Defendant No.3.
Mr. Subir Kumar with Ms. Vaishnavi Parkar i/b SDS Advocates for the Respondent-Bank-IDBI.

CORAM : ABHAY AHUJA, J.
DATE : 17th OCTOBER 2025

P.C. :

Commercial Admiralty Suit No. 18 of 2022

1. When the matter is called out, Ms. Motiwalla, learned Counsel appears for the Plaintiff and submits that she has instructions to withdraw the Suit as against the Defendant No.3.

2. Mr. Kamat, learned Counsel appears for the Defendant No.3 submits that there is an Interim Application taken out although not on board, for rejection of Plaint under Order VII Rule 11 of the Code of

Civil Procedure, 1908, as the Defendant No.3 is an agent of a disclosed principal and the same also be disposed in view of the withdrawal.

3. Having heard the learned Counsel and having considered their submissions, the Suit as against the Defendant No.3 is disposed as withdrawn.

4. In view of the withdrawal of the Suit as against the Defendant No.3, the Interim Application No. 3521 of 2025 is taken on board and stands disposed.

5. As regards the other Interim Applications which are on board and the Suit, Ms. Motiwalla seeks some accommodation in the matter.

6. Accordingly, list on **28th November, 2025**.

(ABHAY AHUJA, J.)

Digitally
signed by
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YOGESH
GADGIL
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