

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ADMIRALTY SUIT NO. 32 OF 2025**

Jas General Trading LLC ... Plaintiff

Versus

M T Rudra Shakthi (IMO NO. 8541622) ... Defendant

WITH

INTERIM APPLICATION NO. 4687 OF 2025

.....
Mr. Vikrant Shetty a/w. Ms. Prachi Wazalwar, Mr. Kush Shah i/b. Mr.
Gurdeep Singh Sachar Advocates for the Plaintiff
Ms. Arpeeta Panvalkar, a/w. Mr. Vishesh Kulkarni, Mr. Chinmay
Deshpande i/b Renata Partners Advocates for the Defendant
.....

CORAM : ABHAY AHUJA, J.

DATE : 11th NOVEMBER 2025

P.C. :

1. This matter has been listed today on the supplementary board for withdrawal of the Suit and consequential release of the arrested Defendant Vessel.

2. When the matter is called out, Mr. Shetty learned Counsel, appears for the Plaintiff and Ms. Panvalkar learned Counsel, appears for the Defendant and tender across the bar Consent Terms dated 07th November 2025 submitting that the dispute between the Plaintiff and

the Defendant has been resolved in terms of the said Consent Terms, which the learned Counsel submit have been signed by the authorized signatories of the Plaintiff and the Defendant as well as their respective Advocates.

3. The said Consent Terms are taken on record and marked “X” for the purposes of identification.

4. Mr. Shetty, points out that in terms of paragraph 4 of the said Consent Terms, the Parties were to jointly apply for withdrawal of the Suit along with the Interim Application and the release of the Defendant Vessel from arrest, on receipt of AED 578,418 i.e. the Settlement Sum from the Owners of the Defendant Vessel and submits that the settlement sum has been received by the Plaintiff and therefore, the Plaintiff is desirous of withdrawing the Suit in terms of the consent terms and seeks leave to do so.

5. The Court Associate has also tendered across the bar a certification dated 11th November 2025 by the Section Officer of the Execution Department of the Prothonotary & Senior Master of this Court as on today at 10.45 am and there are no caveats against the release of the Vessel.

6. Having heard the learned Counsel and having considered the aforesaid submissions, the order of arrest dated 12th June 2025 is vacated and the Defendant Vessel viz. M.T. Rudra Shakthi (IMO NO. 8541622) is allowed to sail, subject to other arrests or caveats and directs the Sheriff to take necessary steps for release of the Defendant Vessel.

7. The undertakings in the Consent Terms are accepted as undertakings to this Court.

8. The Registry to ensure that the hard copy of the signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

9. The Sheriff's poundage for release and any other costs associated with the release shall be borne by the Defendant.

10. In view of the urgency, the formal instrument of release is dispensed with.

11. The Plaintiff has sought leave to withdraw the Commercial Admiralty Suit No. 32 of 2025 and the pending Interim Application No. 487 of 2025. Leave is granted. Commercial Admiralty Suit No. 32 of 2025 and the pending Interim Application No. 487 of 2025 is allowed to be withdrawn and is disposed as such.

12. Refund of Court fees as per Rules. For the purposes of Section 43 of the Maharashtra Court Fees Act, 1959 and the proviso to that Section, today's date is the date of making a claim for repayment. The Prothonotary & Senior Master will issue a certificate for refund of Court fees computed according to the Rules and act on production of an authenticated copy of this order without requiring a separate application.

13. The Plaintiff to serve this order by email/post/courier/hand-delivery upon the Sheriff, Master of the Vessel and to the Ship owner and upon the Port and Customs and all concerned authorities at its own costs.

14. The Office of the Sheriff of Mumbai, Port, Custom and other concerned authorities to act on a copy of this order duly authenticated by the Learned Associate of this Court.

NIKITA
YOGESH
GADGIL

Digitally signed by
NIKITA YOGESH
GADGIL
Date: 2025.11.11
18:24:52 +0530

(ABHAY AHUJA, J.)