

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

COMMERCIAL ADMIRALTY SUIT NO. 48 OF 2025

**LALIT GWALANI SOLE PROPRIETOR GLOBAL)
ENTERPRISE)...PLAINTIFF**

V/s.

M V HERMEEZ IMO 8943648 AND ANOTHER)...DEFENDANTS

Mr.Arnab Ghosh a/w. Mr.Manoj Khatri and Ms.Kavya Banerjee,
Advocate for the Plaintiff.

Mr.Kunal Naik i/by Mr.Ashwin Shanker, Advocate for the Defendants.

Mr.Atul Jadhav, Director of the Defendant no.2 present in Court.

CORAM : ABHAY AHUJA, J.

DATE : 24th DECEMBER 2025

P.C. :

1. This matter has been circulated and listed on the Production Board today seeking withdrawal of the Suit and consequential release of the arrested Defendant No.1 Vessel.

2. Mr.Arnab Ghosh, learned Counsel, appears for the Plaintiff and submits that the matter has been settled in terms of the Consent Terms dated 24th December 2025 and which he tenders across the bar, submitting that the same have been signed by the Plaintiff as well as

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the Director of the owners of the Defendant No.1 Vessel and the respective Advocates. Mr.Ghosh submits that the first tranche of the outstanding amount has been received and that the balance amount will be received in accordance with paragraph 4 of the Consent Terms.

3. Mr.Naik, learned Counsel appearing for the Defendants, confirms the same and submits that in view of the Consent Terms, the Vessel be released.

4. The Consent Terms are taken on record and marked "X" for the purposes of identification. The undertakings in the Consent Terms are accepted as undertakings to the Court. The Registry to ensure that the hard copy of signed Consent Terms is permanently retained on file as part of the record and is not sent for destruction in the ordinary course.

5. The learned Counsel submit that in view of the Consent Terms, the Suit be disposed of as withdrawn.

6. The Caveat book has been checked and verified by the Section Officer of the Execution Department of the Prothonotary & Senior Master of this Court as on today at 12.50 p.m. and there are no caveats against the release of the Vessel.

7. Having heard the learned Counsel and having perused the Consent Terms taken on record today, this Court directs that the arrest order dated 4th December 2025 be vacated and the Vessel M V Hermeez IMO No.8943648 under arrest be released forthwith and the Defendant Vessel be allowed to sail, subject to other arrests or caveats and directs the Sheriff to take necessary steps for release of the Defendant Vessel.

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

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

10. Commercial Admiralty Suit No. 48 of 2025 is allowed to be withdrawn and is disposed as such.

11. A scanned copy of the Consent Terms will be uploaded as the second order in the matter.

12. Refund of Court fees as per Rules. For the purpose of Section 43 of the Maharashtra Court Fees Act, 1959 and the proviso to that

Section, today's date is the date for 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 at its own costs.

14. All concerned including Sheriff of Mumbai, Port, Customs and the other authorities to act on a copy of this order duly authenticated by the Associate of this Court.

(ABHAY AHUJA, J.)