

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ADMIRALTY SUIT (L) NO.1379 OF 2015

SDS Shipping Pvt. Ltd.

...Plaintiff

Versus

MV TURGUT REIS (IMO: 8706478)

...Defendant

Ms. Bulbul Singh & Ms. Ajita Chure i/b M/s. Crawford Bayley & Co. for the Plaintiff.

None for the Defendant.

CORAM: C. V. BHADANG, J.

DATED : 31 DECEMBER, 2015.

PC:

1. Mentioned. Not on board. Taken on board.

2. The learned counsel for the plaintiff states that the entire amount of claim of USD \$ 21,478.77 has been received by the plaintiff. In that view of the matter, the plaintiff does not want to prosecute the suit and seeks permission to withdraw the same.

The plaintiff is also requesting for vacating the order of arrest passed on 30th December, 2015.

3. The learned counsel for the plaintiff submits that the necessary court fee of Rs.31,230/- has been deposited today.

4. The learned counsel for the plaintiff also submits that the plaintiff will deposit the poundage @ 1 % equivalent to USD \$ 21,478.77 in the office of Sheriff of Mumbai today. The statement is accepted.

5. In view of above, the order of arrest dated 30th December, 2015 is hereby vacated and vessel “MV TURGUT REIS (IMO 8706478)” is forthwith released from arrest.

6. The instrument of release is dispensed with and all concerned authorities including Port and Customs to act upon copy of this order duly authenticated as true copy by the Associate of this Court.

7. Liberty is granted to the plaintiff to communicate this order at its costs to all its concerned authorities by hand delivery or fax or e-mail.
8. The plaintiff shall be entitled to refund the court fees, as per the rules.
9. The learned counsel for the plaintiff undertakes to remove all office objections, if any, within a period of two weeks, notwithstanding the fact that the suit has been withdrawn.
10. In the circumstances, there shall be no order as to costs.

(C. V. BHADANG, J.)