

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE
(Commercial Division)

APOT/318/2024
WITH
AS/6/2013
IA NO: GA-COM/1/2024, GA-COM/2/2024

PROACTIVE SHIP MANAGEMENT PVT. LTD.
VERSUS
THE O/P INTERESTED IN THE VESSEL GREEN OCEAN 1 (IMO 8631697) AND ANR.

BEFORE:

The Hon'ble JUSTICE SOUMEN SEN

AND

The Hon'ble JUSTICE BISWAROOP CHOWDHURY

Date : 6th January, 2025.

Appearance:

Mr. Shouveek Ray, Adv.

Mr. Niket Ojha, Adv.

Mr. Adipta Kr. Pandit, Adv.

...for the appellant

Mr. Rudrajit Sarkar, Adv.

Mr. Debangshu Dinda, Adv.

..for the respondents

GA-COM/1/2024

1. The delay of 130 days in preferring the appeal being sufficiently explained is accepted and condoned.
2. Accordingly, GA-COM/1/2024 is disposed of.

GA-COM/2/2024

3. Learned counsel for the respondents has submitted that during the pendency of the appeal, the parties have settled their disputes and the terms of settlement duly signed by the parties along with two cheques

issued in terms of the settlement are placed before this Court. The settlement agreement appears to have been signed on 9th December, 2024.

4. Learned counsel for the appellant, however, submits that he has not received any instruction from the appellant.
5. However, it appears that the appellant has also duly signed the said terms of settlement.
6. We direct the respondents to file an application or an affidavit, as the case may be, to bring on record the said settlement agreement.
7. The matter stands adjourned for one week.
8. The photocopy of the settlement agreement is taken on record.
9. The appeal shall be registered if it is otherwise in form.

(SOUMEN SEN, J.)

(BISWAROOP CHOWDHURY, J.)