

IN THE SUPREME COURT OF INDIA@@
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CIVIL APPELLATE JURISDICTION@@
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CIVIL APPEAL NO. 2072 OF 1998@@
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State of Ukraine & Anr.Appellant(s)

versus

Elitarius Ltd. ...Respondent(s)

With C.A.No.5141/1998 & S.L.P.(C) No.19501/1998@@
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The question as to whether or not the appellant-State of Ukraine is the owner of the vessel in question has yet to be established at the trial of the Admiralty Suits. Learned counsel for the appellants submits that the appellants will do so at the trial and that he be permitted to withdraw the appeals and the special leave petition leaving the question of law that arises therein open for consideration in the event that the first appellant succeeds in establishing its ownership. Learned counsel for the respondents have no objection to this procedure being followed.

The civil appeals and the special leave petitions are dismissed as withdrawn, leaving the question of law that arises therein open.

No order as to costs.

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.....J.@@
AA
(S.P. Bharucha)@@
AA

.....J.@@
AA
(Y.K. Sabharwal)@@
AA

.....J.@@
AA
(Ashok Bhan) @@
AA

New Delhi,@

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August 21, 2001. @@

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