

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION NO. 609 OF 2015
IN
COMPANY PETITION NO. 128 OF 2013**

Axis Bank Ltd.

.. Applicant

In the matter between :

Man Diesel and Turbo

.. Petitioner

Vs.

Pratibha Shipping Company Ltd. & Ors.

.. Respondents

Mr.Nimay Dave and Mr.Mayur Bhojwani i/b M/s. Manilal Kher Ambalal & Co. for applicant.

Ms.Pratibha Ramaswamy, Asstt. O.L. present.

**CORAM : K.R.SHRIRAM, J.
DATED : 9TH DECEMBER, 2015**

P.C.

1 Considered the averments in paragraphs 3, 4, 5 and 6 of the affidavit in support. The respondents have not filed any reply though served. The counsel for the applicant tenders the affidavit of service in which it is stated that all the five respondents have been served.

2 Having considered the affidavit, the application is allowed in terms of prayer clauses (d) and (e) which read as under :

(d) That this Hon'ble Court be pleased to direct respondent nos.2 to 5 to disclose on oath present status and location of the vessels, viz. M.T. Pratibha Koyna / Surya Kuber and M.T. Pratibha Chandrabhaga;

(e) That this Hon'ble Court be pleased to direct respondent nos.2 to 5 to disclose on oath details of the Charter Party Agreement in respect of M.T. Pratibha Koyna / Surya Kuber and the payments received by respondent nos.1 and 4 pursuant to the Corporate Guarantee dated 1st October 2013.

3 The official liquidator to forward a copy of the order to the respondents by registered post A.D. The applicant is also at liberty to communicate this order to the respondents.

4 Liberty to apply.

5 All concerned to act on a copy of this order duly authenticated by the Associate of the Court.

(K.R. SHRIRAM, J.)