

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY & VICE ADMIRALTY JURISDICTION

ADMIRALTY SUIT LODGING NO.355 OF 2016

Southern African Shipyard Pty Ltd

..Plaintiff

Versus

RoRo IDM Symex (IMO 8912663)

..Defendant

Ms. Bulbul Singh Rajpurohit i/b Crawford Bayley & Co for Plaintiff and Cavetors in Caveat No. 21 of 2016, Caveat No. 22 of 2016 and Caveat No. 23 of 2016

Mr. Prathamesh Kamat with Dr. Shrikant Hathi and Ms. Natasha Sailopal i/b Brus Chambers, for Defendant

Mr. Mandeep Singh Tiwana (Director) and Mr. Bader A. Al- Nijjar, (Managing Director) Symex Maritime Singapore owner of the Defendant Vessel.

CORAM: S.J. KATHAWALLA J

May 17, 2016

(In Chambers)

PC.:

1. Urgency is made out and therefore the matter is allowed to be moved.
2. The Counsel for the Defendant states that security amount as per order dated April 11, 2016 has been deposited with the Prothonotary & Senior Master, High Court, Bombay by way of Demand Draft. No. 386823 dated May 13, 2016 for INR 1,982,987.00 (Rupees One Million Nine Hundred and Eighty Two Thousand Nine Hundred and Eighty Seven Only) in favour of “Registrar (O.S) Prothonotary & Senior Master, H.C, Bombay”.
3. Mr. Mandeep Singh Tiwana undertakes on behalf of the owners of Defendant vessel that payment to the caveator in Caveat no. 22 of 2016 have been made and

should reflect in their account by tomorrow. He further undertakes to indemnify the caveators in case the above payments are not effected to the nominated bank account.

4. Mr. Mandeep Singh Tiwana on behalf of the owners of the Defendant vessel undertakes to indemnify Union Marine Management Services Pvt Ltd of any genuine and / or bonafide claims made against them by the creditors annexed separately in the list marked as “Annexure A”.

5. There are three Caveats against Release of the Defendant vessel RoRo IDM Symex and the same are withdrawn by the Caveators.

6. The order of arrest stands vacated and the Defendant vessel, RoRo IDM Symex presently lying arrested at Dighi Port stands released immediately.

7. Instrument of release is dispensed with.

8. Liberty to communicate the Order by fax/ Email to all concerned authorities. Direct service is permitted.

9. Port, Customs, CISF and all concerned authorities to act on fax copy, email or authenticated copy of this Order. All concerned authorities shall render all assistance in effecting the release of the Defendant vessel RoRo IDM Symex.

10. It is open for the Defendant’s advocate to communicate this Order at their own cost.

(S.J. KATHAWALLA, J)