

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

NOTICE OF MOTION NO.475 OF 2016
IN
WRIT PETITION NO.2006 OF 2015

Aban Offshore Ltd. & Anr.	 Applicants
<i>In the matter between</i>	
Aban Offshore Ltd. & Anr.	 Petitioners
Vs.	
Union of India & Others	 Respondents

Mr. V. Sridharan, Senior Counsel, with Mr. Yogesh Pathki & Mr. Akhilesh Kangsia i/by M/s. Mulla & Mulla & C.B. & Caroe for the Applicants/Petitioners.
Mr. Pradeep S. Jetly for the Respondents.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : DECEMBER 19, 2016

P.C:

1. Though there are pleadings in the form of a reply to this notice of motion filed by the contesting respondents, eventually when it was listed for hearing and final disposal today, Mr. Jetly, on instructions from the respondents, makes a statement that the respondents would have no objection if this

notice of motion is made absolute in terms of prayer clause (a).

The prayer clause (a) reads as under:-

“(a) this Hon'ble High Court be pleased to order that the drill ship seized by the Respondents and provisionally released in terms of this Hon'ble High Court's Order dated August 3, 2015 as and when deployed beyond December 31, 2016 only within India for ONGC contracts – present and future – as per directions and written instructions of ONGC and also when merely stationed in India during monsoon will be in compliance with the Order dated August 3, 2015 passed by this Hon'ble High Court;”

2. Mr. Jetly, on instructions, has stated that so long as the vessel is deployed for operations of ONGC in India, the respondents would have no objection for such deployment within India. However, Mr. Jetly submits that in the event the vessel is required to be moved out of India, the petitioners would have to take all the requisite steps in accordance with law for obtaining the clearance from the Competent Authorities for such movements. We do not wish to express any opinion on this aspect of the matter and leave it open for the petitioners to adopt such a course as is permissible in law in the event there is requirement of moving the vessel out of India. As long as the

statement made on instructions by Mr. Jetly protects the rights of the petitioners, we dispose of the notice of motion in terms of this order. No order as to costs.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)