

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

JUDGE'S ORDER NO.216 OF 2017

IN

COMMERCIAL SUIT (L) NO.543 OF 2017

KPI Bridge Oil LimitedPlaintiff

Vs.

m.v. ESI ANAXDefendant

Mr. Zarir Bharucha a/w. Mr. Shivam Singh i/b. Mr. Bimal Rajasekhar for
applicant/plaintiff.

None for defendant.

CORAM : K.R.SHRIRAM, J.

DATE : 25th SEPTEMBER, 2017

PC.:

1 Not on board. Papers produced at 3.00 p.m.

2 Mr. Bharucha, counsel for plaintiff states that the defendant vessel is within territorial waters of India and she is scheduled to berth at Mumbai Port shortly.

3 Prima facie case is made out. Judges order is signed separately.

4 In the event of defendant depositing in this Court a sum of US\$155,524.08 plus 1% poundage on the said amount or if defendant gives a bank guarantee in the sum of US\$155,524.08 plus interest thereon at the rate of 36% per annum thereon from the date of the suit until payment/realization plus 1% on principal amount of US\$155,524.08 towards Sheriff's poundage, the warrant of arrest shall not be executed against the vessel.

5 Plaintiff is at liberty to serve this order as well as the warrant
of arrest upon defendant vessel and the Port/Customs authorities.

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

7 Warrant of arrest to be served upon defendant vessel and the
Port/Customs authorities before 29th September, 2017.

(K.R. SHRIRAM, J.)