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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ADMIRALTY & VICE ADMIRALTY JURISDICTION

JUDGES ORDER NO.219 OF 2017

IN

ADMIRALTY SUIT (L) NO.531 OF 2017

Mr. Kumar Vellakkat Achutan & Ors. ...Plaintiffs

vs

m.v. Neel Akash & Ors. ...Defendants

....

Mr. Abhishek Khare, a/w. Ms. Tanvi Nandgaonkar, i/b. Khare Legal Chambers, for the Plaintiffs.

....

CORAM : S.C. GUPTE, J.

DATED : 5 OCTOBER, 2017

P.C. :

. This admiralty suit is filed by the Plaintiffs, all of whom are seamen engaged to work as crew members on Defendant No.1 vessel. The suit is in respect of unpaid wages of the Plaintiffs. The unpaid wages amount to a sum aggregating to Rs.70,68,077/-. The first Defendant ship is currently under arrest in Malaysia. The Plaintiffs have arraigned the sister ship of Defendant No.1 vessel, namely, m.v. Neel Kamal. The relevant record concerning the ownership of the two vessels is produced with the plaint. The Plaintiffs have also relied on the employment contracts of the Plaintiffs with Defendant No.1 vessel. The relevant particulars of unpaid wages are submitted with the plaint. In the premises, a prima facie case of arrest of Defendant No.2 vessel is made out. A separate Judge's order is issued to that effect.

2. Formal warrant of arrest is dispensed with.
3. The Plaintiffs will be at liberty to communicate this Order along with the letter from the Sheriff of Mumbai to all Authorities/Port and Customs/Coastal Guards by fax/e-mail/hand delivery.
4. All parties to act on the ordinary copy of this order, duly authenticated by the Associate of this Court.

(S.C. GUPTE, J.)