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

CHAMBER SUMMONS NO.553 OF 2018
IN
COMMERCIAL ADMIRALTY SUIT NO.24 OF 2018

The Board of Trustees of the Port of Mumbai Applicant

In the matter between:

Manoj Kumar & Ors. .. Plaintiffs

Versus

m.v. PFS Brave & Ors. .. Defendants

Ms. Prapti Kedia with Mr. R.P.Shirole I/b. Khare Legal Chambers for
plaintiff

Mr. Ajai Fernandes with Ms. Sneha B. Pandey I/b. Motiwalla & Co.
for applicants

Mr. Anurag Mankar I/b. PAN India Legal for defendant No.2

Mr. Omprakash Parihar I/b. Arpan M. Rajput and Co. for defendant
No.3.

CORAM : K.R.SHRIRAM, J.

DATE : 27th June 2018.

P.C.

Mr. Fernandes, learned Counsel for applicant states that
out of remaining prayers (c) to (h) in the chamber summons, if
prayer clause (f) is granted, the chamber summons can be
disposed of.

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2] Ms. Kedia appearing for plaintiffs and Mr. Mankar and Mr. Parihar learned Counsel appearing for defendants, have no objection. Therefore, prayer clause (f) of the chamber summons is granted, which reads as under:-

“(f) The applicants be reimbursed for the costs and expenses incurred by them in moving the said 1st defendant vessel with the assistance of tugs from P & V Anchorage to Dharukhana or any other safe location in the port and harbour of Mumbai.”

3] The chamber summons is disposed of. It is made clear that the costs and expenses incurred subject to submission of proof will be paid out from the sale proceeds as Sheriff's expenses. For completion of record, the Registry to take affidavit in reply on file.

(K.R.SHRIRAM, J.)