

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

ADMIRALTY SUIT NO.29 OF 2017

Granada Energy General Trading LLC	...	Plaintiff
Versus		
m.v. THEOXENIA & Another	...	Defendants

.....
Sheweta Sadanandan I/b Mr. Ashwin Shankar for the Plaintiff.

CORAM : S.C.GUPTE, J.

DATE : 15 JANUARY 2018

P.C. :

. The admiralty suit is for arrest and sale of a vessel to recover a maritime claim. The vessel has already been arrested. Despite such arrest, neither is appearance entered nor is any security furnished on behalf of the vessel or its owner. The suit is, accordingly, listed as an undefended suit. Prayers (a) and (b) of the plaint seek arrest and sale, respectively, of the Defendant No.1-vessel and application of sale proceeds towards satisfaction of the Plaintiff's claim in the suit.

2 The Plaintiff has produced documents, such as correspondence exchanged between the Plaintiff and the agent/broker of the Defendants as well as invoices raised on the Defendants. The Plaintiff's claim is for supply of necessities, namely, marine lubricants, to the Defendants. The claim is neither contested nor the documents challenged.

3 Learned Counsel for the Plaintiff informs the Court that in another

admiralty suit filed a third party, the vessel has been ordered to be sold and the sale has even been accomplished. The amount of sale proceeds is currently held by Admiralty-Registrar. The Plaintiff's suit herein is, accordingly, decreed in accordance with the particulars of claim shown in Exhibit 'A' to the plaint. The Plaintiff will have now to intervene for recovery of the decretal dues and proceed to have an order of priority of claims determined under the applicable Bombay High Court Original Side Rules.

(S.C. GUPTE, J.)