

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

CHAMBER SUMMONS NO.962 OF 2017

IN

ADMIRALTY SUIT NO.31 OF 2017

Punjab National Bank Applicant/Intervenor

IN THE MATTER BETWEEN :

Global Enterprises Plaintiff

Vs.

m.v. Manak 1 and Anr. Defendants

Mr. Arnab Ghosh i/b. Mr. Manoj R. Khatri for plaintiff.

Ms. Sheetal Chaturvedi i/b. MDP and Partners for applicant/intervenor.

CORAM : K.R.SHRIRAM, J.

DATE : 17th JANUARY, 2018

P.C.:

1 Mr. Ghosh, counsel for plaintiff states that the account that the owners of first defendant vessel had with the intervenor was declared as non-performing asset in 2012 itself and therefore, intervenor should not be allowed to intervene in this suit.

Ms. Chaturvedi, counsel for applicant states that intervenor had already filed a claim before Debt Recovery Tribunal well within the period of limitation and in any event, in this application they are seeking to intervene as defendant and not making any claim. Therefore, the objection of plaintiff's counsel cannot be sustained.

2 I agree with the submissions made by counsel for applicant.

3 At this stage, Mr. Ghosh states that he has no objection if intervenor is added as party defendant. In the circumstances, chamber summons stands disposed.

4 Plaintiff to amend the plaint to add applicant as defendant no.3 and serve a copy of the amended plaint within two weeks from today.

5 Written statement to be filed and copy served within two weeks of receiving copy of the amended plaint. Ms. Chaturvedi waives service of writ of summons.

6 Suit be listed for directions on 21st February, 2018.

(K.R. SHRIRAM, J.)