

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION

JUDGES ORDER NO.18 OF 2020

IN

COMMERCIAL ADMIRALTY SUIT (L) NO.7 OF 2020

Axis Trustee Services Ltd.

....Plaintiff

Vs.

M.T. Prem Mala (IMO No.9209972) & Ors.

....Defendant

Mr. Vishal Sheth a/w. Ms. Shweta Sadanandan i/b. Mr. Ashwin Shanker for
applicant/plaintiff.

CORAM : K.R.SHRIRAM, J.

DATE : 31st JANUARY 2020

PC.:

1 Heard Mr. Sheth, counsel for plaintiff and also considered the
plaint. *Prima facie* case for arrest of 1st defendant vessel is made out.

2 The Judge's Order for arrest of 1st defendant vessel is signed
separately. Mr. Sheth states there is no caveat against arrest of 1st defendant
vessel as per the endorsement made today at 12.20 p.m. by the Section
officer of the Execution Department in the praecipe.

3 Plaintiff is at liberty to forward a copy of the communication
from the Sheriff of Mumbai forwarding this order by fax/email/hand
delivery/RPAD to Port and Customs Authorities.

4 The undertaking of plaintiff's advocate that the warrant of
arrest will be served upon the vessel, the Port and Customs Authorities
within two weeks from today is accepted.

5 After execution of warrant of arrest, if the arrested vessel is not released by furnishing security or bail amount within 15 days, or an application for vacating order of arrest is not filed, or vessel is found abandoned by the person in-charge of the vessel or owner or is found unmanned, in such an event, on application made by plaintiff, the office of Sheriff of Mumbai shall present Sheriff's report for auctioning vessel within seven days from the date of receiving communication from plaintiff's advocate or from the date of knowledge of abandonment of vessel.

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

(K.R. SHRIRAM, J.)