

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

**JUDGES ORDER NO. 109 OF 2021
IN
COMMERCIAL ADMIRALTY SUIT (L) NO. 13462 OF 2021**

Vision Projects Technologies Pvt. Ltd.Plaintiff

V/s.

OSV CREST MERCURY ONE (IMO No. 9724398)Defendants

Mr. Prathamesh Kamat i/b Ms. Priyanka Patel for plaintiff.

**CORAM : K.R.SHRIRAM, J.
DATED : 21st JUNE 2021**

P C.:

1 Not on Board. In view of urgency, the matter is taken on production board.

2 Heard Mr. Kamat, the learned Counsel appearing on behalf of plaintiff and also considered the averments made in the Plaint, I find that *prima facie* case for arrest of defendant Vessel is made out.

3 The Caveat warrant book against arrest register is produced before me and there is no entry of any caveat made in the register. The advocate on record for plaintiff has also placed the endorsement made by the Section Officer of Execution Department at 1.20 p.m. today stating that the caveat warrant book against arrest is checked and verified and no caveat has been filed against defendant vessel.

4 The Judge's Order for arrest of defendant vessel is signed separately.

5 The undertaking of plaintiff's advocate that the warrant of arrest will be served upon the vessel within a period of two weeks from today by e-mail or fax or hand delivery is accepted.

6 After service of warrant of arrest, if the arrested vessel is not released by furnishing security or bail amount within 45 days, or an application for vacating order of arrest is not filed, or the vessel is found abandoned by the person in-charge of the vessel or owner or is found unmanned, then, in such an event, on an application being made by plaintiff, the office of Sheriff of Mumbai shall present a Sheriff's report for auctioning the vessel within seven days from the date of receiving communication from plaintiff's advocate or from the date of knowledge of abandonment of vessel.

7 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 all the concerned Authorities.

8 All parties are directed to act on an ordinary copy of this order duly authenticated by the concerned Associate /Personal Assistant / Private Secretary of this Court.

(K.R. SHRIRAM, J.)