

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN IT'S COMMERCIAL DIVISION

JUDGES ORDER NO. 55 OF 2022

IN

COMMERCIAL ADMIRALTY SUIT (L) NO. 21337 OF 2022

Termoil Ltd.

...Plaintiff

Versus

MT AEON (IMO No: 9576818)

...Defendant

Mr. Akshay Kolse Patil a/w Mr. Siddharth Manek i/b M/s. Crawford
Bayley & Co. for the Plaintiff.

None for the Defendant.

CORAM : R.I. CHAGLA J

DATE : 05 July 2022

ORDER :

1. This is an application moved for arrest of the Defendant vessel based on claim of unpaid dues for supply of bunker to the Defendant per particulars of claim at Exhibit "H". The outstanding is said to be due under invoices, copy of which is appearing at Exhibit "D". The supply was made pursuant to order confirmation at Exhibit "B".

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PANDURANG
KHOT

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SHARAYU
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2. The Defendant is seen to have acknowledged liability through its beneficial owners/managers in the email dated 10th June, 2022 forming part of Exhibit “G”.

3. In these circumstances, I pass the following order:-

- (i) I order the arrest of Defendant-vessel “MT AEON (IMO NO.9576818)” lying and being within the admiralty jurisdiction of this Court, along with hull, engines, gears, tackles, machinery apparels and paraphernalia lying and being presently in berth at the Port of Mumbai or wherever in the territorial waters of India.
- (ii) Pursuant to this order, if the Defendant-vessel is found abandoned or unmanned, the office of the Sheriff shall present a report for auctioning the vessel upon request of the Plaintiff.
- (iii) Plaintiff is also at liberty to file an application for sale of the vessel; provided no application is made for vacating the order of arrest.

- (iv) Judge's Order has been signed separately.
- (v) There is no caveat against arrest of the Defendant Vessel.
- (vi) The Plaintiff is at liberty to communicate a copy of this order along with the letter from the office of Sheriff to all port authorities, custom officers, coast guards, etc. by fax, email and/or hand delivery.
- (vii) All authorities including port, customs, coast guards, etc. to act on an ordinary copy of this order duly authenticated by an Associate of this Court.
- (viii) Warrant of Arrest is dispensed with.

[R.I. CHAGLA J.]