

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO.3776 OF 2022
IN
COMM. ADMIRALTY SUIT NO.13 OF 2022**

The Board of Trustees of the Port of Mumbai ... Applicant/Plaintiff

Versus

Aban Ice and Ors.

... Defendants

Mr. Ajai Fernandes with Ms. Sneha Pandey i/by Motiwala and Co., for Plaintiff.
Ms. Poorva Garg with Mr. Simon Mascarenhas i/by Mulla and Mulla and Craigie
Blunt and Caroe, for Defendant Nos.1 and 2.

CORAM: N.J.JAMADAR, J.

DATE: 23rd AUGUST, 2022

P.C.:

1. Heard the learned Counsel for the Applicant/Plaintiff.
2. This Application is taken out by the Applicant/Plaintiff to amend the
Plaint and description of the Plaintiff in the Vakalatnama and other proceeding in view
of the change in the nomenclature of the Plaintiff brought out by the Major Port
Authorities Act, 2021.
3. Perused the schedule of amendment appended to the Application.
Proposed amendment seems to be consequential to and necessitated by the legislative
change brought out by the incorporation of the Major Port Authorities Act, 2021 in
place of the Major Port Trust Act, 1913. There is no element of prejudice whatsoever

to the Defendant. Hence, the Application stands allowed in terms of prayer clause (a). Necessary amendment be carried out in accordance with the Schedule of amendment appended to the application within a period of two weeks and amended copy of the plaint be served on the Defendant within one week thereafter.

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4. In terms of the order dated 29th June, 2022, Mr. Fernandes, learned Counsel for the Plaintiff, seeks time to do the needful.
5. List on 13th September, 2022.

(N.J.JAMADAR, J.)