



C.S.No.207 of 1996

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Civil Suit No.207 of 1996

1. M/s.Sea Star Shipping &
Trading Agency rep. by sole
Proprietrix Mrs.Pachiammal,
No.11, Thiruvadu Thurai Adeenam St.,
Arumbakkam, Madras – 600 106.

2. M/s.Jagan & Co.,
rep. by Mr.D.Ethiraj,
Sole Proprietor, No.39,
Gandhi Road, Madras – 106.

... Plaintiffs

versus

1. M/s.Basis Ships Management S.A.
Rep. by Ship Master,
No.29, Filonos Street, Piraeus,
Greece.

2. M/s.LMJ International Ltd.,
C Block, 2nd Floor,
30 Jawaharlal Nehru Road,
Calcutta 700 016.

3. Bank of Baroda
Rajaji Salai,
Madras. 600 001.



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4. Bank of Baroda
International Business Branch
No.4, India Exchange Place
Calcutta 700 001.

... Defendants

Prayer: The Civil Suit filed under Order XLII Rule 2 of the Original Side Rules, seeking to pass a Judgment and decree directing the arrest the vessel m/v.Sibirsky 2130 belonging to the owner/first defendant and directing the second defendant to pay to the first plaintiff a sum of Rs.2,35,987.50/- i.e., rupee equivalent of U.S. \$6742.50/- on rate prevailing as on date with interest at 24% from 31.12.1995 till payment and also directing the second defendant to pay to the second plaintiff a sum of Rs.1,08,500/- i.e., rupee equivalent of U.S.\$ 3100/- on rate prevailing as on date with interest at 24% from 31.12.1995 till payment and to pay the cost incurred towards telex, telephone and other charges amounting to Rs.25,000/- in favour of the first plaintiff by second defendant and also directing the second defendant to pay Rs.50,000/- towards damages in favour of the plaintiffs and also for costs of the suit.

For Plaintiff : No appearance

JUDGMENT

The suit has been languishing in the almirah of the original side for the past 24 years.



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2. It was earlier listed on 02.04.1998 and the noting on that date was
“at request adjourned to 17.04.1998”.

3. Subsequently, a Preliminary Decree had been passed earlier on
29.01.1998. It is highly doubtful whether the cause for the suit still
survives.

4. Since, there is no appearance on behalf of the plaintiffs, the suit is
dismissed for non-prosecution. No costs.

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Index:Yes/No

Speaking Order : Yes/No

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