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

IN ITS COMMERCIAL DIVISION

COMMERCIAL ADMIRALTY SUIT NO. 35 OF 2022

Ceto Shipping Corporation ... Plaintiff

Versus

Sale Proceeds of the Vessel MV Aeon
(IMO No. 9576818) ... Defendant

WITH

INTERIM APPLICATION NO. 3272 OF 2025

INTERIM APPLICATION NO. 3270 OF 2025

IN

COMMERCIAL ADMIRALTY SUIT NO. 35 OF 2022

.....
Mr. Rishabh Saxena alongwith Mr. Ishan Chhokra instructed by Bose & Mitra & Co., Advocate for the Applicant/intervenor.
Ms. Charmi Shah alongwith Mr. Heetkumar Vachhani instructed by Crawford Bayley & Co., Advocate for the Plaintiff.

.....
CORAM : ABHAY AHUJA, J.
DATE : 17 JULY 2025

P.C. :

1. Ms. Shah, learned Counsel, appears for the Plaintiff and submits that the Suit would be withdrawn and they are waiting for final confirmation from the Plaintiff.

2. It is made clear that if Suit is not withdrawn, reply to the Interim Application No.3270 of 2025 be filed within a period of two weeks, with copy to the other side. Rejoinder be filed within a period of two weeks thereafter, with copy to the other side.

3. As regards the Interim Application No.3272 of 2025, Ms. Shah, submits that the said Application under Order VII Rule 11 of the Code of Civil Procedure, 1908, has been taken out by the erstwhile owner of the Defendant-vessel. On the last occasion on 13th June 2025, this Court had directed reissuance of notice to the said Interim Applicant.

4. A perusal of the report dated 17th July 2025 indicates that the said notice could not be served. That the Advocates appearing in the matter have refused service of notice submitting that they have taken discharge.

5. It is observed that the notice has been returned with remarks that “MISSENT TO CMEC PHILIPINE”.

6. Registry is directed to send notice to the correct entity viz. Samnium Maritime Ltd. and not to CMEC Philipine and place before this Court an appropriate report on the next date.

7. List on **22nd August 2025**.

(ABHAY AHUJA, J.)