

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

IN ITS COMMERCIAL DIVISION

COMMERCIAL ADMIRALTY SUIT NO. 35 OF 2024

Seak'nct Marine and Offshore Pvt. Ltd. ... Plaintiff

Versus

Ambar IMO 9548770 and others ... Defendants

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Mr. Ramprakash Pandey alongwith Mr. Udhaybhan Tiwari, Advocate for the Plaintiff.

Ms. Isha Sawant instructed by Mr. Ashwin Shanker, Advocate for the Defendant No.3.

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CORAM : ABHAY AHUJA, J.

DATE : 25 JULY 2025

PC. :

1. Learned Counsel appearing in the matter have tendered across the bar draft issues.

2. Accordingly, by consent, the following issues are framed :

(i) Whether the Plaintiff has established a maritime claim under Section 4(1) of the Admiralty (Jurisdiction & Settlement of Maritime Claims) Act, 2017 ?

(ii) Whether the Plaintiff has established an 'action in rem' against and is entitled to the arrest both Defendants No.1 and 2 Vessels as security for its claim ?

(iii) Whether the Plaintiff is entitled to the arrest of Defendants No.1 and 2 Vessels under Section 5(1) and (2) of the Admiralty (Jurisdiction & Settlement of Maritime Claims) Act, 2017 for claims against the erst-while bareboat charterer i.e., Defendant No.3 ?

(iv) Whether the Plaintiff has proved delivery/supply of materials to the Defendant No.3 ?

(v) Whether the Plaintiff proves any admission of liability on part of Defendant No.3 ?

(vi) Whether the Plaintiff proves that Defendant No.3 is liable for the claim ?

(vii) Whether the Plaintiff proves that it is entitled to a decree in the sum of USD 13,098.92 (USD 11,461.67 being the principal amount + USD 1,637.67 being interest @ 24% p.a.) equivalent to INR 10,87,210/- (or any part thereof) ?

(viii) Whether the Plaintiff is entitled to interest @24% p.a. ?

(ix) What order ?

(x) What reliefs ?

3. Let the Plaintiff, within a period of six weeks, file (i) the evidence affidavit of its first witness; (ii) an affidavit of documents; and (iii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the Advocates for the Defendants on or before that date.

4. In addition the Defendants will also file (i) affidavit of documents; and (ii) a compilation of documents duly indexed and paginated. Copies of each of these will be served on the advocates for the Plaintiff on or before that date.
5. Statements of admission and denial are to be exchanged within a period of two weeks thereafter.
6. List on **19th September 2025** for case management hearing.

(ABHAY AHUJA, J.)