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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 536 OF 2025

IN

COMMERCIAL ADMIRALTY SUIT NO. 11 OF 2023

Abdul Saeed and others ... Applicants/Plaintiffs

Versus

Sale Proceeds of Vessel MT Aeon
IMO 9576818 ... Respondent/Defendant

.....

Mr. Karan Bhosale alongwith Ms. Apeksha Sharma and Mr. Harsh Sawant instructed by Mr. Utsav Dalal, Advocate for the Applicants/Plaintiffs.
None for the Respondent.

.....

CORAM : ABHAY AHUJA, J.

DATE : 18 JULY 2025

PC. :

1. Pursuant to the earlier orders of this Court dated 21st March 2025, 25th April 2025 and 13th June 2025, today when the matter is called out, Mr. Bhosale, learned Counsel, appears for the Plaintiffs/Applicants and submits that he has had an opportunity to go through the Commissioner's Report and that the only lacuna that he finds is that the final settlement of wage statements of the Plaintiffs to verify each of the outstanding claims would need to be addressed.

2. It is observed that on 21st March 2025 this Court had appointed a Court Commissioner and directed the Commissioner to verify the original Agreement/Contracts, passports extracts duly certified by the Advocates for the Plaintiffs/Notarized, respective extracts of Seaman's book and wage statement in respect of the crew members with their claims in the Suit in so far the originals of which are available alongwith the Power of Attorney in originals, if any, issued by the Plaintiffs to lodge/receive such claims on behalf of the Plaintiffs and to submit report. On 25th April 2025, this Court had once again granted liberty to the Plaintiffs to file documents in accordance with paragraph 8 of the order dated 21st March 2025 with the Commissioner. It was also observed in paragraph 3 that unless an explanation acceptable to the Court is furnished as to why the original agreement/contracts cannot not be submitted for the purpose of the verification of the claim, this Court would not be in a position to modify the said order.

3. Thereafter, it appears that the scanned copies of the documents as certified by the earlier Advocates, viz. Renata Partners have been furnished to the Commissioner appointed by this Court and that the learned Commissioner on the basis of the said documents has furnished a Report dated 11th June 2025 and also raised certain

objections with respect to the employment agreement of Danish Ali Mohammad, Plaintiff No.5 and Tariq Hamid, Plaintiff No.27 that they were executed with the employer of the ship MT Selene. Also the learned Commissioner has raised an issue with respect to the documents of Plaintiff No.28 stating in paragraph C(ii) that the extract of seamen service book and seaman engagement and discharge record of the Plaintiffs except Umar Khitab, Plaintiff No.3, duly filed as true copies by the Renata Partners are filed. That the learned Commissioner has also submitted that the duly attested final settlement of wage statements of the Plaintiffs are not on record and therefore, the figures of claim amount and interest are taken from the paragraphs in the Plaint.

4. As regards, the Powers of Attorney, the learned Commissioner has submitted that the scanned copies of the Powers of Attorney executed by the Plaintiffs have been verified.

5. The learned Commissioner has also drawn this Court's attention to the report by Global Radiance Ship Management Pte. Ltd., containing final settlement of wages in respect of the other crew members of the very same vessel in Interim Application No.164 of 2023 in Commercial Admiralty Suit No.55 of 2022 and submits that a similar report could have been provided.

6. Let the Plaintiffs address the aforesaid issues by way of appropriate Affidavit(s) by the next date. Mr. Bhosale seeks two weeks time to do the needful.
7. Since the learned Commissioner has rendered his services, this Court quantifies the costs of the Commissioner at the rate of Rs.5,000/- per Plaintiff to be paid from the sale proceeds lying with the Prothonotary & Senior Master, within a period of four weeks. The learned Counsel have no objection.
8. List on **1st August 2025**.

(ABHAY AHUJA, J.)