

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

**INTERIM APPLICATION NO. 1489 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO. 81 OF 2021**

**BHAMBHANI SHIPPING LTD.)...APPLICANT
IN THE MATTER BETWEEN
THE BOARD OF MUMBAI PORT AUTHORITY)...PLAINTIFF
V/s.
HALANI STAR AND OTHERS)...DEFENDANTS**

Mr.Ajai Fernandes a/w. Mrs. Nina Motiwalla, Mr.R. Motiwalla,
Ms.Janhavi Kandekar, Ms.Anjali Kotecha i/by Motiwalla & Co.,
Advocate for the Plaintiff.

Mr.Dhruva Gandhi a/w. Mr.Siddarth Manek, Mr.Heetkumar Vachhani
and Ms.Charmi Shah i/by Crawford Bayley and Co., Advocate for the
Applicant / Defendant no.2 in COMAS/81/2021.

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CORAM : ABHAY AHUJA, J.

DATE : 25th JULY 2025

PC. :

1. Mr.Dhruva Gandhi, learned Counsel for the Applicant /
Defendant no.2, has concluded his arguments in support of the
application, so also Mr.Ajai Fernandes, learned Counsel for the Plaintiff
has almost concluded his arguments in opposition.

2. However, Mr.Fernandes seeks to consider placing on record a note with respect to interpretation of proviso to Rule 10 of Order VIII of the Code of Civil Procedure, 1908 (“CPC”) and its applicability to Rule 9 of Order VIII of the CPC as applicable to commercial disputes.
3. At his request, list on **1st August 2025**.

(ABHAY AHUJA, J.)