

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

**INTERIM APPLICATION NO. 2648 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO. 29 OF 2024**

FALCOM OFFSHORE SERVICES)...APPLICANT

IN THE MATTER BETWEEN

THE BOARD OF MUMBAI PORT AUTHORITY)...PLAINTIFF

V/s.

**SALE PROCEEDS OF THE VESSEL BARGE)
MADHWA AND ANOTHER)...DEFENDANTS**

Mr.Dhruva Gandhi a/w. Ms.Khushboo Rupani and Ms.Sharon Shetty
i/by HSA Advocates, Advocate for the Plaintiff.

Mr.Prathamesh Kamat a/w. Mr.Kayush Zaiwalla, Ms.Apurva Mehta
(Pohonekar) and Ms.Prachi Gharat i/by ANB Legal, Advocate for the
Applicant / Defendant no.2.

CORAM : ABHAY AHUJA, J.

DATE : 25th JULY 2025

PC. :

1. When the matter is called out, Mr.Prathamesh Kamat, learned Counsel, appears for the Applicant and submits that the Applicant is the Defendant no.2 in the Suit and the Interim Application seeks summary dismissal under Order XIII-A of the Code of Civil Procedure, 1908

("CPC") as the Plaintiff has no real prospect of succeeding in the claim, in as much as, the Plaintiff has itself described the Defendant no.2 as a disclosed agent of the principal. Mr.Kamat submits that reply has already been filed and there is no need to file any rejoinder as the reply contains only bare denials.

2. Mr.Dhruva Gandhi, learned Counsel appearing for the Plaintiff Port Authority and for the Respondents in the application submits that some time be granted to consider the submissions made by Mr.Kamat. Mr.Gandhi also submits that he has instructions to file an Interim Application under Order XIII-A of the CPC in the Suit against the sale proceeds of the Vessel. Mr.Gandhi submits that the matter be listed on 22nd August 2025.

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

4. It is made clear that on the next date no further time would be granted and this Court will proceed with the hearing of the Interim Application.

(ABHAY AHUJA, J.)