

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

**INTERIM APPLICATION NO. 7498 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO. 20 OF 2023**

Capt Neeraj Prakash Gandhi **...Applicant**
V/s.
The Sale Proceed of M. V. Tag Navya and Anr. **...Respondents**

Ms. Urusah M. Irfan i/n Dave and Co. for the Applicant.

CORAM : ABHAY AHUJA, J.
DATE : 12th DECEMBER, 2025

PC. :

1. This Interim Application seeks pay out of Rs. 14,53,000/- along with interest @ 6 % p.a. from 2nd January, 2023 until payment to the Applicant from the sale proceeds of M. V. Tag Navya lying with this Court.
2. When the matter is called out, Ms. Irfan, learned Counsel appears for the Applicant and submits that by judgment and order dated 27th June, 2025, passed in Interim Application No. 2641 of 2025 in Commercial Admiralty Suit No. 20 of 2023, this Court decreed the Suit under Order XIII-A of the Code of Civil Procedure, 1908 for Rs. 14,53,000/- less TDS, together with interest at the rate of 6% p.a. from 2nd January, 2023 until payment / realisation.

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3. Ms. Irfan submits that as per the order dated 22nd November, 2022, in Interim Application (L) No. 25181 of 2022 in Commercial Admiralty Suit No. 85 of 2021 and connected matters, the Applicant's claim was ranked as first priority. That the sale proceeds are lying with the Prothonotary & Senior Master of this Court and the same are sufficient to satisfy the Applicants' decreed claim. That, therefore, this Court may direct the Prothonotary & Senior Master to make payment of the decreed amount along with interest as prayed for by transferring the same by NEFT to the bank account of the Applicant as contained in Exhibit-C.

4. Having heard the learned Counsel and having considered the submissions, this Court is of the view that the Interim Application be allowed in terms of prayer Clauses (b) and (c), which read thus:-

“(b) In view of the aforesaid facts and Particulars of Claim Direct the Prothonotary and Senior Master to pay the sum of Rs. 14,53,000/- (Rupees Fourteen Lakhs Fifty-Three Thousand only) less TDS, along with interest @ 6% p.a. from 2nd January 2023 until payment to the Applicant from the sale proceeds of the vessel MV Tag Navya lying with this Hon'ble Court.

(c) Direct the said payment to be made via NEFT to the bank account of the Applicant, the details whereof are annexed herewith at “Exhibit C” herein”.

5. Let payments to the Applicant be made by NEFT within a period of two weeks after due verification.
6. The Interim Application accordingly stands allowed and disposed as above.

(ABHAY AHUJA, J.)