

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE 17th DAY OF JULY 2026

:PRESENT:

HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

IA No. 1 OF 2026

IN

COMS NO: 12 OF 2026



Between:

Sinor Marine Services Middle East FZCO, A company incorporated under the relevant laws of Emirates of Dubai, United Arab Emirates having their office at 601 ,Al Nokitha Building, Hamriya Port, Dubai, UAE- 95842 Represented by its Authorised Representative, Mr.Vanumu Harikrishna

...Petitioner

(Plaintiff in COMS 12 OF 2026

on the file of High Court)

AND

M V SMO VIKING, a vessel flying the Indian Flag, IMO NO. 9312119, along with all her hull, engines, gears, machinery, tackles, apparels and paraphernalia, presently lying in the Kakinada Deep Water Port, in the territorial water of India, within the Admiralty Jurisdiction of this Hon'ble Court

...Respondent

(Defendant in-do-)

Counsel for the Petitioner/Plaintiff :Sri Prathamesh Kamat, learned counsel representing M/s Moguluru Iswarya

Counsel for the Respondent :---

Petition under Order 39 Rule 1 & 2 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High

Court may be pleased to order, that pending the hearing and final disposal of the suit, the Defendant vessel M.V SMO VIKING (IMO NO. 9312119), together with her hull, engines, gears, machinery, tackles, apparels, and paraphernalia and all other appurtenances at present lying at the port and harbour of KAKINADA within the territorial waters of India, or wherever she is within the territorial waters of India, be arrested by a Warrant of Arrest of this Hon'ble Court; Pending disposal of COMS No. 12 of 2026, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard Sri Prathamesh Kamat, learned counsel representing Moguluru Iswarya learned counsel for the plaintiff.

The claim of the plaintiff is for an amount of USD 63,979.37 (United States Dollars), which is stated to be pending towards the services rendered by the plaintiff/company to the Defendant Vessel pursuant to the purchase orders as well as the service reports.

The plaintiff demanded payment of the said dues through Exhibit-E, and the communicate between the parties dated 16.01.2026 and other emails, prima facie show that there were dues payable to the plaintiff.

However, a final demand was made by the plaintiff which is as under
"on 5.11.2025, at 5:21 PM Accounts I Sinor Marine
<accounts@sinormarine.com>wrote:

Dear Sir,

This is a final reminder to settle the outstanding invoices listed below, Despite repeated follow-ups, the payment remains overdue well beyond the agreed credit terms.

As per our company policy, interest charges have been applied due to the prolonged delay in payment. The continued non-settlement of dues has caused a significant cash flow impact and financial loss to our operations,

We therefore request you to release the full payment within the next two (02) working days to avoid escalation.

Summary as of today:

Total outstanding (SMO & Amey Koopman): USD 73,720.86

Interest Charges: USD 8,791.95

Total Amount Payable: USD 82,512.81

Please note that failure to settle the payment within the stipulated period will leave us with no option but to initiate legal proceedings to recover the dues without any further notice.

We Sincerely hope to receive your immediate cooperation in resolving this matter.

Best Regards,

In spite of the same, the amount has not been paid, and the plaintiff has filed the present Commercial Suit along with the present application seeking to arrest the Defendant Vessel pending hearing and final disposal of the suit, stating that the Defendant Vessel, together with her hull, engines, gears, machinery, tackles, apparels, and paraphernalia and all other appurtenances at present lying at the port and harbor at Kakinada within the territorial waters of India, be arrested by a Warrant of Arrest.

*Considering the submissions made by the learned counsel for the plaintiff/company and after perusing the record and in the facts and circumstances of the case, there is a *prima facie* case and balance of convenience in favour of the plaintiff. Therefore, the Warrant of Arrest of*

the Defendant Vessel is required to be issued as an interim measure, subject to the condition that the defendant shall deposit USD 63,979.37 which is maritime claim.

In view of the above, the Warrant of Arrest is issued against the Defendant Vessel, to arrest the Defendant Vessel together with her hull, engines, gears, machinery, tackles, apparels, and paraphernalia and all other appurtenances, at present lying at the port and harbour at Kakinada Deep Water Port within the territorial waters of India, until security is provided for USD 63,979.37 before the Registrar (Judicial) of the High Court of Andhra Pradesh within forty-eight (48) hours from the date of service of notice.

The port authority or the port officer shall effect the arrest and the Registry is directed to communicate the order to the port authority of Kakinada Deep Water Port. The petitioner/plaintiff is also directed to implead the port Authority as party to the present application as well as to the suit.

The learned counsel for the petitioner/plaintiff is permitted to take out personal notice to Defendant through Speed Post with Acknowledgment Due and file proof of service in the Registry.

List the matter on 14.08.2026.

SD/- M S V NAVEEN CHANDRA
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati (by Special Messenger)
2. The Principal District Judge, Rajamahendravaram, East Godavari District (by Speed Post along with a copy of petition and affidavit)

3. The Port Officer, Kakinada Port and Harbour, the Port Authority of Kakinada Deep Water Port, Kakinada, Kakinada District **(by Speed Post/Whats app/ E-mail)**
4. M V SMO VIKING, a vessel flying the Indian Flag, IMO NO. 9312119, along with all her hull, engines, gears, machinery, tackles, apparels and paraphernalia, presently lying in the Kakinada Deep Water Port, in the territorial water of India, within the Admiralty Jurisdiction of this Hon'ble Court **(By Speed Post/ Whats app/E-mail)**
5. One CC to M/s Moguluru Iswarya, Advocate [OPUC]
6. The Section Officer, O.S Section, High Court of Andhra Pradesh, Amaravati
7. **One spare copy**

PSR

HIGH COURT

BM,J

DATED:17/07/2026

NOTE: List the matter on 14.08.2026.

ORDER

**IA No. 1 OF 2026
IN
COMS NO: 12 OF 2026**



DIRECTION

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE 17th DAY OF JULY 2026

:PRESENT:

HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

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Sinor Marine Services Middle East FZCO, A company incorporated under the relevant laws of Emirates of Dubai, United Arab Emirates having their office at 601 ,Al Nokitha Building, Hamriya Port, Dubai, UAE- 95842 Represented by its Authorised Representative, Mr.Vanumu Harikrishna

...Petitioner

(Plaintiff in COMS 12 OF 2026

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...Respondent

(Defendant in-do-)

Counsel for the Petitioner/Plaintiff :Sri Prathamesh Kamat, learned counsel representing M/s Moguluru Iswarya

Counsel for the Respondent :---

Whereas the Petition under Order 39 Rule 1 & 2 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to order, that pending the hearing and final disposal of the suit, the Defendant vessel M.V SMO VIKING (IMO NO. 9312119), together with her hull, engines, gears, machinery, tackles, apparels, and paraphernalia and all other appurtenances at present lying at the port and harbour of KAKINADA within the territorial waters of India, or wherever she is within the territorial waters of India, be arrested by a Warrant of Arrest of this Hon'ble Court; Pending disposal of COMS No. 12 of 2026, on the file of the High Court.

And whereas the court upon perusing the suit and the affidavit filed in support thereof and upon hearing the arguments of Sri Prathamesh Kamat, learned counsel representing Moguluru Iswarya, Advocate for the Plaintiff, directed the Registry to issue warrant of arrest against the Defendant vessel by name M V SMO VIKING, a vessel flying the Indian Flag, IMO NO. 9312119, along with all her hull, engines, gears, machinery, tackles, apparels and paraphernalia, presently lying in the Kakinada Deep Water Port, in the territorial water of India, within the Admiralty Jurisdiction of this Hon'ble Court.

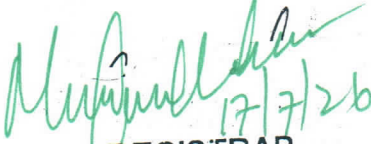
Therefore, You viz;

The Port Officer, Kakinada Port and Harbour, Kakinada Deep Water Port, Kakinada, Kakinada District.

are hereby directed to arrest the defendant vessel by name M V SMO VIKING, a vessel flying the Indian Flag, IMO No. 9312119, together with her hull, engines, gears, machinery, tackles, apparels, and paraphernalia and all other appurtenances, at present lying at the port and harbour at Kakinada Deep Water Port within the territorial waters of India, until security is provided for USD 63,979.37 before the Registrar (Judicial) of the High Court of Andhra Pradesh within forty-eight (48) hours from the date of service of notice.

You are also directed to return this warrant as early as possible with a detailed report, preferably on or before 14.08.2026, stating the manner in which it has been executed.

Herein fail not.


17/7/26
JOINT REGISTRAR

To,

1. The Registrar (Judicial), High Court of Andhra Pradesh at Amaravati.
2. The Principal District Judge, Rajamahendravaram, East Godavari District. (by Speed Post/ Whats app/E-mail)
3. The Port Officer, Kakinada Port and Harbour, Kakinada Deep Water Port, Kakinada, Kakinada District. (By Speed Post/Whats app/E-mail)
4. One spare copy

PSR

HIGH COURT

BM,J

DATE:17.07.2026.

NOTE:LIST THE MATTER ON 14.08.2026.

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WARRANT OF ARREST