

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE: COMS.No.12 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
1.	17.07.2026	<u>BM, J</u> <u>I.A.No.1 of 2026</u> 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, <i>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.</i> <i>As per our company policy, interest charges have been applied due to the prolonged delay in payment. The</i>	

		<i>continued non-settlement of dues has caused a significant cash flow impact and financial loss to our operations,</i> <i>We therefore request you to release the full payment within the next two (02) working days to avoid escalation.</i> <i>Summary as of today:</i> <i>Total outstanding (SMO & Amey Koopman): USD 73,720.86</i> <i>Interest Charges: USD 8,791.95</i> <i>Total Amount Payable: USD 82,512.81</i> <i>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.</i> <i>We Sincerely hope to receive your immediate cooperation in resolving this matter.</i> <i>Best Regards,</i> 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 <i>prima facie</i> case and balance of convenience in favour of the plaintiff. Therefore, the Warrant of Arrest of the	
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		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. BM, J Note: Issue C.C. today B/o. RMD	
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