

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/ADMIRALTY SUIT NO. 5 of 2021**

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SEVEN ISLANDS SHIPPING LTD

Versus

BHARAT PETROLEUM CORPORATION LTD

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Appearance:

for the Defendant(s) No. 2

MR DHAVAL D VYAS(3225) for the Defendant(s) No. 1

MR HARSH N PAREKH(6951) for the Plaintiff(s) No. 1

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CORAM: HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 15/07/2022****ORAL ORDER**

Heard Mr. Harsh N.Parekh, learned advocate appearing for the plaintiff and Mr.Dhaval D.Vyas, learned advocate appearing for the defendants.

Suggested issues dated 30.3.2022 are placed on record for consideration of this Court.

Accordingly, the following issues are framed for determination of the present suit, which reads thus:

1. Whether the plaintiff is entitled to limit its liability under the provisions of Merchant Shipping Act, 1956 and the Rules made there under ?
2. Whether the plaintiff's liability should be limited as per Rule 4 or as per Rule 3 of The Merchant Shipping (Limitation of Liability for Maritime Claims)Rules 2015 ?
3. What should be the quantum/amount for the limitation fund as per the provisions of the Merchant Shipping Act,

1958 ?

4. What decree and Order ?

On a joint request being made by learned advocates appearing for the respective parties, list this matter for further hearing on **1st August, 2022.**

BEENA SHAH

(VAIBHAVI D. NANAVATI,J)