IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/ADMIRALTY SUIT NO. 26 of 2016

With
CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2021
In R/ADMIRALTY SUIT NO. 26 of 2016
With
CIVIL APPLICATION (FOR VACATING INTERIM RELIEF) NO. 2 of 2022
In R/ADMIRALTY SUIT NO. 26 of 2016

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MEREDIS FINANCE LTD
Versus
M V KAMAL XL (IMO NO - 7431961) & ORS.

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Appearance:
JEET Y RAJYAGURU(8039) for the Defendant(s) No. 1,2
MR MK VAKHARIA(1483) for the Defendant(s) No. 3
MR. BHADRISH S RAJU(6676) for the Plaintiff(s) No. 1

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CORAM:**HONOURABLE MRS. JUSTICE MAUNA M. BHATT**

Date : 09/10/2025

ORAL ORDER

1. Registry has placed a note dated 03.10.2025 of learned advocate for Mr. M. K. Vakharia in Civil Application (for direction) No. 1 of 2024 in Admiralty Suit No. 26 of 2016 submitting that earlier Civil Application (for direction) No. 1 of 2024 in Admiralty Suit No. 26 of 2016 wherein this Court has passed an order dated 13.03.2025 permitting the applicant – Deendayal Port Authority to sell the vessel – MV Kamal XL (IMO No. 7431961) (Original Name: Dredger Ship Khersones) which is in ownership of opponent No. 3 – SC "Black Sea & Azov Sea Dredging Company' Odessa region lying within the territory of the applicant – Deendayal Port Authority through

auction sale. The said auction was completed and proceeds of the auction sale was permitted to be deposited before the Registry of this Court. Accordingly, the auction was carried out by Deendayal Port Authority of the vessel in question and the same was sold to M/s. G. N. Enterprise for an amount of Rs.4,17,01,800/- (Rupees Four Crore Seventeen Lakh One Thousand Eight Hundred only) (inclusive of 5% GST).

2. Learned advocate further submitted that pursuant to sale of vessel in question, Deendayal Port Authority recived sale proceeds of the vessel MV Kamal XL to the amount as referred hereinabove by way of RTGS and out of the total amount received (Rs.4,17,01,800/-), Rs.19,85,800/- (Rupees Nineteen Lakh Eighty Five Thousand Eight Hundred only) is the GST amount (@ 5%) to be paid to GST department. The said GST amount (@ 5%) has to be paid by Deendayal Port Authority and the balance amount shall be directed to be deposited before Registry of this Court in compliance of order dated 13.03.2025. Since the order dated 13.03.2025 was not referring to the GST amount to be paid by Deendayal Port Authority to the GST department, the present note is preferred.

3. Learned advocate submitted that accordingly, amount of Rs.3,97,16,000/- (Rupees Three Crore Ninety Seven Lakh Sixteen Thousand only) [Rs.4,17,01,800 – Rs.19,85,800/- (5% GST)], Deendayal Port Authority has already deposited before Registry of this Court by way of Banker's Cheque bearing No. 068755 dated 01.10.2025 which was drawn upon IDBI Bank in favour of Registrar of High Court of Gujarat. Learned advocate for ready reference has enclosed a photocopy of the said

cheque and further submitted that therefore, the Banker's Cheque deposited as stated hereinabove may be treated as compliance of directions of this Court dated 13.03.2025.

4. In view of the note preferred and the Banker's Cheque deposited by the applicant – Deendayal Port Authority which is after deduction of GST which is required under the provisions of the Central Goods and Services Tax Act, 2017, this deposit is directed to be treated as deposit in compliance of the directions dated 13.03.2025.

5. Since the amount has been deposited before Registry of this Court, Registrar of this Court is directed to deposit the said amount in a Fixed Deposit of any Nationalized Bank with the permission to renew the same at regular interval.

6. Upon deposit of the amount, since the order dated 13.03.2025 by this Court in Civil Application (for direction) No. 1 of 2024 in Admiralty Suit No. 26 of 2016 is treated as compliance of the directions, the applicant is permitted to transfer the vessel to the successful bidder.

7. With the above directions, the present note is disposed of.

(MAUNA M. BHATT,J)

SHRIJIT PILLAI