

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/ADMIRALTY SUIT NO. 81 of 2025**

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JOTUN COSCO MARINE COATINGS (HK) LIMITED

Versus

MV ELVITA R (IMO 9395264)

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Appearance:

MS HARSHITA AGRAWAL, ADVOCATE for

MR SUKUMAR M TIRTHANI(12200) for the Plaintiff(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 30/09/2025

ORAL ORDER

1. Heard Ms Harshita Agarwal on behalf of Mr Sukumar Tirthani for the Plaintiff.
2. Ms Harshita Agarwal submits that the present Admiralty Suit has been filed seeking directions for the arrest of the Defendant Vessel as security for the maritime claims of the Plaintiff.
3. Ms Agarwal submits that in August 2024, the Plaintiff, following orders from the Centralship Management Co., Ltd., the agents of the registered owner of the Defendant Vessel, Elvita Ride Shipping Inc., supplied various products like dock paint, thinner and primers to the Defendant Vessel.

4. Ms Agarwal points out that in August 2024, the ISM Manager of the Defendant Vessel requested quotes for the supply of deck paints, coats, thinners and varnishes to the Defendant Vessel. The Plaintiff submitted a quote of USD 12,037.20 and, upon confirmation, supplied the said products to the Defendant Vessel on 20/8/2024 at Dubai Dry Dock. The delivery of the said paint was acknowledged by the Master of the Defendant Vessel by stamping and signing the Delivery Note No. 35879794. Thereafter, the Plaintiff issued an invoice dated 9/10/2024, bearing reference CD6224009586 for USD 12,037.20 to the owners of the Defendant Vessel, Elvita R Shipping Inc. Ms Agarwal submits that the said invoice remains unpaid.

5. Ms Agarwal further submits that marine-grade paint was also supplied to the Defendant Vessel upon orders received from the ISM Manager for the Defendant Vessel. The supply was made by the Plaintiff on 31/8/2024 and 2/9/2024. The delivery made on 31/8/2024 was acknowledged by the master by stamping and signing the Delivery Note 36016939. The delivery made on 2/9/2024 was acknowledged by the master by stamping and signing the Delivery Note 36030675. Thereafter, the Plaintiff issued an invoice dated 9/10/2024 bearing reference CD6224009572 for USD 96,950.20. Ms Agarwal submits that this invoice also remains unpaid.

6. Ms Agarwal lastly submits that the Plaintiff has a maritime claim falling under Section 4(1)(l) of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act 2017, for delivering products to the Defendant Vessel. As the invoices mentioned before are now outstanding for a considerable period of time, the Plaintiff is constrained to file the present Suit and seek arrest of the Defendant Vessel for security of the said outstanding dues.

7. Ms Agarwal also indicates that the Defendant Vessel is already under arrest in Admiralty Suits 18, 23, 24, 26, 40, 58, 61 and 68 of the year 2025.

8. Heard Ms Harshita Agarwal, learned advocate for the Plaintiff and perused the Plaint herein signed at Ahmedabad on 29/9/2025, filed by Advocate for the Plaintiff herein, and the Affidavit of Mr Saiyad Tokirhusen, constituted attorney of the Plaintiff above named, declared on 29/9/2025. On a reading of the plaint and the exhibits thereto, prima facie it appears that the claim in the Plaint is in the nature of a maritime claim under Section 4(1)(l) as the Plaintiff's claim arises for supplying products to the Defendant Vessel on behalf of the Defendant Vessel and her Owner. Upon the Plaintiff giving an undertaking in writing to pay such sums by way of damages as this Court may award as compensation in the event of the

Defendant Vessel sustaining any prejudice by this order, I order that the Registrar of this Court to issue a warrant for the arrest of the Defendant vessel ELVITA R having IMO No.9395264 along with its hull, engines, gears, tackles, bunkers, machinery, apparel, plant, furniture, equipment and all appurtenances, at present lying at Bedi Port, Jamnagar within the Indian territorial waters and that the Warrant of Arrest be executed at any time of the day or night or on Sundays or holidays and I do further order that the Port Officer and the Customs Authorities at Bedi Port do effect the arrest, seizure or detention of the Defendant Vessel at present lying at Bedi Port or within the Indian territorial waters or such other place wherever she may be within the territorial waters of India and I do further order that in the event of the Defendant Vessel, her Owner and / or those interested in her depositing in this Court principal sum of USD 1,33,287.4 with 18% interest per annum. The Port Officer and the Customs Authorities at Bedi Port, Jamnagar, are directed to arrest the Defendant Vessel at present lying at Bedi Port, within the Indian territorial waters and to keep the Defendant Vessel under arrest until further orders of this Court. It is further ordered that the Port Officer and the Customs Officer at Bedi Port, Jamnagar, shall also inform the Master / Chief Engineer of the Defendant Vessel about this order and effect the warrant of arrest for the Defendant Vessel through email.

9. The Registry is directed to send this order to Port and Customs at Bedi Port, Jamnagar at the following addresses :

- a) INBED1@icegate.gov.in ;
- b) raj.chandan67@gov.in ;
- c) mahesh.irs10@gov.in ;
- d) customokha@gmail.com ;
- e) chsikka2012@yahoo.com ;
- f) cusdiv-jmr@nic.in ;
- g) info.jamnagar@gmbports.in
- h) ops.jam@gmbports.in
- i) sikkavtms@gmail.com ;
- j) rozivtms@gmail.com ;
- k) chairman-gmb@gujarat.gov.in ;
- l) vc-gmb@gujarat.gov.in ;
- m) shankkesh.m@gov.in ;
- n) ccoahm-guj@nic.in ;
- o) ajay.kumar1964@gov.in ;
- p) cusjam@gmail.com ;
- q) ch-jamnagar@gov.in ;
- r) mrcc-west@indiancoastguard.nic.in ;
- s) jamnagarmmd@gmail.com ;
- t) rhq-west@indiancoastguard.nic.in ;

10. It is open for the Plaintiff to send this order to the Authorities at Bedi Port, Jamnagar, and the authorities are directed to act on the ordinary email copy of the order and place the Defendant's Vessel under arrest.

11. Issue **Notice** to Defendants returnable on **12.12.2025**. Plaintiff is permitted to serve the Defendant Vessel through

email service on the vessel's owner/charterer/manager/agent, or any other person interested

12. The Defendant can approach this Court to deposit security even prior to the returnable date with adequate notice to the Plaintiff.

Direct Service **TODAY** is Permitted.

SHRIJIT PILLAI

(MAUNA M. BHATT,J)