

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/ADMIRALTY SUIT NO. 55 of 2024**

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PHELIX SHIPPING VENTURES PVT LTD.**Versus****MT QIAN TAI 1 (IMO NO. 9531727)**

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Appearance:**MR SAURABH SOPARKAR, SENIOR ADVOCATE with****MR ADITYA KRISHNAMURTHY with****MR RAGHAVENDRA DESAI and****MR HARSH N PAREKH(6951) for the Plaintiff(s) No. 1****MR MANAV A MEHTA(3246) for the Defendant(s) No. 1**

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 19/12/2024****ORAL ORDER**

1. In view of the averments of the Plaint, the Defendant Vessel stands arrested.

2. Learned Advocate Mr. Manav Mehta for the defendant Vessel has tendered a Purshish dated 19.12.2024 and submitted that the Defendant has deposited the entire suit amount with the Registry of this Hon'ble Court. Learned Advocate Mr. Mehta further requested that in view of the entire security amount being deposited, he may be discharged of his statement as recorded in order dated 17.12.2024, Defendant Vessel may be permitted to sail outside the territorial waters of this Hon'ble Court, owners of the Defendant Vessel be

permitted to sale the vessel. The said Purshish is ordered to be taken on record.

3. Learned Advocate Mr. Harsh Parekh for the Plaintiff submitted that upon confirmation from the Registry that such amount is deposited with the Punjab National Bank that the order for discharge of statement may be passed.

4. Upon hearing learned advocate Mr. Manav Mehta for the Defendant Vessel and learned Senior Advocate Mr. Saurabh Soparkar with Learned Advocate Mr. Harsh Parekh for the Plaintiff, the following order is passed:-

i) Purshish dated 19.12.2024 along with SWIFT Advice is ordered to be taken on record.

ii) The Registry is directed to intimate the credit of the aforesaid amount by the Punjab National Bank to the learned advocates of the respective parties.

iii) Upon confirmation of the Credit of the aforesaid amount by the Punjab National Bank to the Registry of this Court, the learned advocate for the Defendant shall stand discharged of their statement as recorded in order dated 17.12.2024 and Defendant Vessel may be permitted to sail outside the

territorial waters of this Hon'ble Court, owners of the Defendant Vessel be permitted to sale the vessel.

iv) In view of the above arrangement, the order of arrest stands vacated forthwith.

v) If possible, the Registry is directed to invest the amount deposited before the registry of this Court as referred in para 4(ii) for an initial period of six months in an interest bearing fixed deposit account.

5. It is made clear that the above order has been passed without prejudice to the rights and contentions of the respective parties.

6. Stand Over to 31.01.2025.

(MAUNA M. BHATT,J)