

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/ADMIRALTY SUIT NO. 92 of 2025**

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SEGAL SHIPS PRIVATE LIMITED

Versus

M.V. DARYA SAGAR(IMO NO.9971551) & ORS.

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Appearance:

PANKEET P AUNDHIYA(9421) for the Defendant(s) No. 1,2,3,4,5

MS PAURAMI B. SHETH(841) for the Plaintiff(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 10/12/2025

ORAL ORDER

1. This suit is filed seeking arrest of the vessels joined as Defendant No.1 – M.V.Darya Sagar (IMO No.9971551), Defendant No.2 – M.V.Radhe Krishna (IMO No.9971549), Defendant No.3 – M.V. Shiv Shambhu (IMO No.9974266), Defendant No.4 – M.V. Bholenath (IMO No.9974292), Defendant No.5 – M.V.Shambhu Sagar (IMO No.9971563).

2. The case of the plaintiff is that on account of breach of agreement to sale entered into between plaintiff and defendants dated 16.08.2025, the plaintiff has suffered loss in the profit and, therefore, he is entitled for the arrest of the vessels in question as referred herein above. The case of the plaintiff is

covered under Sections 4(1) (a) and 4 (1) (h) of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017. Admittedly, the plaintiff is a Bareboat charter and is in the business of plying the vessels.

3. Learned advocate Mr. Manoj Khatri on a caveat appeared virtually and submitted that the agreement to sale refers to certain conditions and upon fulfillment of the said conditions, particularly, the payment of Bank Guarantee, further action of joint survey of the vessels in question is to be carried out. In this case, the last mail by the plaintiff is dated 06.12.2025, leading to immediate filing of this suit without providing any Bank Guarantee as referred in the agreement to sale. Further, the claim in suit is an exaggerated claim and all vessels (Defendant Nos.1 to 5) may not be arrested by filing one plaint.

4. Learned advocate Mr. Khatri further submitted that Defendant No.6 has agreed that an undertaking shall be filed by tomorrow (11.12.2025), by the duly authorised signatory of the Company (duly authorised Board of Directors of the Company in question) that Defendant No.2 – M.V.Radhe Krishna (IMO No.9971549) and Defendant No.5 – M.V.Shambhu Sagar (IMO No.9971563) shall not leave the

territorial jurisdiction of this Court.

5. Defendant No.6 is restrained to create any charge over the subject vessel (Defendant Nos.2 and 5) till the next date of hearing.

6. Considering that there are five separate agreement for each of the vessels, this Court is of the opinion that separate Court Fees is required. Registry is therefore, directed to verify and do the needful accordingly.

7. With the above direction, the matter is posted for hearing on 18.12.2025.

8. Direct service **Today** is permitted.

(MAUNA M. BHATT,J)

NAIR SMITA V./01-SB-III