

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION**

ADMIRALTY SUIT NO.23 OF 2011

Union of India ... Plaintiff
versus
MS Nordlake GMBH and Anr. ... Defendants

Mr. Sunip Sen with Mr. K. Shah i/by M/s. Bhatt and Saldana, for Plaintiff in ADMS No.23 of 2014 and for Defendant Nos.1 and 2 in ADMS No.23 of 2011. Mr. Rahul Narichania, Senior Advocate with Ms. S.I.Shah, for Plaintiff in ADMS No.23 of 2011 and for Defendant No.1 in ADMS No.23 of 2014.

CORAM: S.J. KATHAWALLA, J.

DATE: 2nd SEPTEMBER, 2015

PC.:

1. Heard the learned Advocates for the parties and by consent, the following issues are framed in the above Suit :

(i) Whether the collusion occurred as a consequence of the recklessness and negligence of servants, officers, crew of the 1st Defendant and/or recklessness and negligence and failure of her owners as alleged in paragraph 19 of the Plaint ?

(ii) Whether the Defendants are responsible and liable for the loss caused due to the sinking of the INS VINDHYAGIRI ?

(iii) Whether the collusion was caused by or contributed to by one or more other vessels viz. INS GODAVARI, INS VINDHYAGIRI m.v. SEAEAGLE ?

(iv) What Order and Cost ?

2. The Plaintiffs and Defendants shall file their Affidavit of Documents and compilation of documents on or before 12th October, 2015. Stand over to 12th October, 2015.

(S.J.KATHAWALLA, J.)

C E R T I F I C A T E

I certify that this Order uploaded is a true and correct copy of original signed Order.

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