

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

COMMERCIAL ADMIRALTY SUIT NO.35 OF 2021

Indian Oil Corporation Limited ...Plaintiff
V/s.
The Sale Proceeds of M.T. Prem Mala and Another ...Defendants

Mr. Siddhant Chhabria with Mr. Yohaan Shah i/b Negandhi Shah & Himayatullah for the Plaintiff.

Mr. Bimal Rajasekhar with Ms. Diksha Brahma i/b Mr. Ashwin Shanker for the Defendant No. 2.

CORAM : **ABHAY AHUJA, J.**
DATE : **8th AUGUST 2025**

P.C. :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, learned Counsel appearing in the matter tender across the bar the draft issues submitting that issues be framed in terms of the said draft.

2. Having heard the learned Counsel, the following issues are framed:-

ISSUES

i) Whether the Plaintiff proves that it is entitled to INR 5,52,18,442.45 on account of loss or damage said to be caused by the operation of Defendant No. 1 vessel on 17th October, 2019?

ii) Whether the Plaintiff proves that it is entitled to INR 1,01,00,798.34 under a charterparty dated 28th December,

2018 said to be entered with the owners of the Defendant vessel?

iii) Whether the Plaintiff has a maritime lien against Defendant No. 1 vessel?

iv) What interest?

v) What costs?

vi) What decree?

4. Let the Plaintiff within a period of four weeks file affidavit in lieu of examination in chief along with compilation of documents duly indexed and paginated along with list of witnesses and serve the same upon the other side.

5. Discovery and inspection to be completed within a period of two weeks thereafter.

6. Statement of admission and denial be filed within a period of two weeks thereafter with copy to the other side.

7. List on **3rd October, 2025** for marking of the Plaintiff's documents.

8. Let the Plaintiff's witness remain present on the next date.

(ABHAY AHUJA, J.)

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YOGESH
GADGIL

Nikita Gadgil

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NIKITA YOGESH
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Date: 2025.08.08
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