



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

INTERIM APPLICATION (L) NO. 10453 OF 2026
IN
COMMERCIAL ADMIRALTY SUIT (L) NO. 9490 OF 2026

MV Dara IMO 9250244 ...Applicant
In the matter between
GP Trading FZCO ...Plaintiff
vs.
Mv Dara IMO 9250244 ...Defendant

Mr. Prathamesh Kamat i/b Ranata Partners for the Applicant.
Mr. Dhruva Gandhi with Mr. Naishad Bhatia and Mr. Heetkumar Vachhani i/b Crawford Bayley & Co. for the Respondent in IA and for the Plaintiff in the Suit.

CORAM : ABHAY AHUJA, J.
DATE : 24th MARCH, 2026

PC. :

1. This matter was mentioned at the behest of the owner of the Defendant-Vessel this afternoon seeking to be placed on the production board, so that the arrested Defendant-Vessel could be shifted from its present location at inner anchorage at Mormugao Port to the outer anchorage of the said port, in view of the costs involved at the Vessel's present location. Accordingly, circulation was granted and the matter has been placed at serial no. 501 of the production board for being taken up at 4.30 p.m.

2. Mr. Kamat, learned Counsel appearing for the Interim Applicant submits that pursuant to an order of arrest dated 16th March, 2026,



passed by this Court and post completion of discharge operations, the Defendant-Vessel was shifted to inner anchorage (mooring Dolphins) at Mormugao Port by the port authorities. Mr. Kamat submits that the scale of rates as applicable to the inner anchorage is much higher than that applicable to the outer anchorage. That the Applicant is at the moment incurring port charges on a daily basis at the rate of USD 7503.24 inclusive of GST, whereas at the outer anchorage the same would be USD 1500.648 per day. That, therefore, this Application is being made for shifting the Defendant-Vessel. Mr. Kamat submits that the outer anchorage lies within the port limits and the admiralty jurisdiction of this Court and the Applicant-Vessel would continue to remain under arrest even after the said Vessel is permitted to be shifted to the outer anchorage.

3. Mr. Kamat further submits that a communication dated 17th March, 2026 of the Vessel Agent to the Deputy Conservator of Mormugao Port Authority, clearly indicates that the port authority has taken custody of the passports of all the 23 crew members on board of the Applicant/Defendant-Vessel and therefore, there is no threat of either the Vessel or the crew members leaving the port premises.



4. Mr. Kamat also draws this Court's attention to paragraph 14 of the Application to submit that the Applicant has further undertaken to comply with all the conditions of the arrest order and not to sail or depart from the outer anchorage without prior leave of this Court.

5. Mr. Gandhi, learned Counsel appearing for the Plaintiff, on instructions, submits that the Plaintiff has no objection to the Vessel being shifted by its owner from the inner anchorage to the outer anchorage at the owner's cost and expenses and as long as the original documents of the Applicant along with passports and seaman books of the crew continue to remain in the custody of the port authorities till further orders of this Court.

6. Having heard the learned Counsel and having considered their submissions, the following order is passed:-

ORDER

(i) The Mormugao Port Authority is permitted to shift the Defendant-Vessel M. V. Dara, IMO No. 9250244, from its present location at inner anchorage (mooring Dolphins) at Mormugao Port to the outer anchorage of Mormugao Port.

(ii) The costs and expenses of shifting the Vessel shall be borne and paid for by the owner of the Applicant/Defendant-Vessel.



- (iii) It is clarified that despite such shifting, the Applicant shall continue to remain under arrest pursuant to the order dated 16th March, 2026 and shall remain within the jurisdiction of this Court.
- (iv) The Applicant shall ensure that the Vessel does not sail out of the outer anchorage.
- (v) The order of arrest dated 16th March, 2026 and the Judge's Order dated 16th March, 2026 are modified to the above extent.
- (vi) The Port Authority, including the Harbour Master, Mormugao Port Authority and other statutory bodies are directed to permit shifting of the Vessel to the outer anchorage.
- (vii) This order is passed without prejudice to the rights and contentions of all parties in the captioned Suit.
- (viii) the Applicant is at liberty to communicate this order to the Sheriff of Mumbai, the Master of the Applicant Vessel, relevant Port including Mormugao Port and Customs authority by email.
- (ix) All concerned to act on a copy of this order duly authenticated by the Associate of this Court.
- (x) Interim Application to accordingly stand disposed.

(ABHAY AHUJA, J.)