

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

COMMERCIAL ADMIRALTY SUIT NO.8 OF 2024

Capt. Gavin Squeira and Others ...Plaintiffs

V/s.

**Sale Proceeds of M.V. Malaviya 23
IMO No.9299082 and Others** ...Defendants

**WITH
COMMERCIAL ADMIRALTY SUIT NO. 16 OF 2025
WITH
COMMERCIAL ADMIRALTY SUIT NO.482 OF 2017
WITH
INTERIM APPLICATION (L) NO.21997 OF 2025
IN
COMMERCIAL ADMIRALTY SUIT NO.482 OF 2017
WITH
COMMERCIAL ADMIRALTY SUIT (L) NO.28057 OF 2024
WITH
COMMERCIAL ADMIRALTY SUIT NO.26 OF 2025
WITH
INTERIM APPLICATION NO.3689 OF 2024**

Mr.Prathamesh Kamat (through video conferencing), Mr.Kayush Zaiwalla, Ms.Riddhi Kapadni, Mr.Tuhupiya Kar i/b Mr.Harsh Pratap, Advocates for the Plaintiff in COMAS/770/2017.

Mr.Harsh Sheth with Niyati Merchant i/b MDP Legal, Advocate for the Plaintiff in COMAS/16/2025 and COMAS/26/2025.

Mr.Shyam Kapadia a/w Mr.Ruchir Goenka, Ms.Sneha Goud i/b Bose & Mitra & Co., Advocates for the Plaintiff in COMAS/8/2024.

Mr. Kunar Nair i/b Mr. Ashwin Shanker for the Plaintiff / Applicant in COMAS 482/17 with IAL 21997/25.

Mr. Abhinav Tayade i/b Mr. Nikhil Pratap Wagh for the erstwhile Chief Engineer of the Defendant vessel.

**CORAM : ABHAY AHUJA, J.
DATE : 1st AUGUST, 2025**

PC. :

Interim Application No. 3689 of 2024

1. When the matter is called out, Mr. Kapadia, learned Counsel appears for the Applicant and for the Plaintiff in Commercial Admiralty Suit No. 8 of 2024 and submits that this Interim Application *inter alia* seeks determination of priorities. Mr. Kapadia tenders across the bar draft of the said priorities.
2. Mr. Sheth, learned Counsel appearing for the Plaintiff in Commercial Admiralty Suit No. 16 of 2025 and 26 of 2025 submits that he would need some time to take instructions.
3. Mr. Tayade, learned Counsel appearing for the erstwhile Chief Engineer of M. V. Malaviya 36 submits that his Interim Applications have been dismissed and that he is in the process of filing Suit under Rule 1087 of the Bombay High Court (Original Side) Rules along with the Application for condonation of delay and, therefore, this Court may grant some time to consider the tabular chart of priorities.
4. The other learned Counsel appearing in the matters listed on board today have no objection to the priorities as per the chart furnished by Mr. Kapadia.

5. However, since the two Counsel have sought time in the matter, list on **22nd August, 2025**.

(ABHAY AHUJA, J.)