

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO. 66 OF 2018

In

ADMIRALTY SUITS 6 OF 2015

Raj Shipping Agencies .....Petitioner  
V/S  
Barge Madhwa And Anr. And The Board Of .....Respondent  
Trustees Of The Port Mumbai (applicant)

WITH

ADMIRALTY SUITS NO. 1 OF 2015

Atlantic Shipping Pvt. Ltd. ....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH

COMMERCIAL ADMIRALTY SUITS NO. 285 OF 2015

Tag Offshore Limited .....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH

ADMIRALTY SUITS NO. 6 OF 2015

Raj Shipping Agencies .....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH

ADMIRALTY SUITS NO. 11 OF 2015

Integr8 Fuels Inc. ....Petitioner  
V/S  
Madhwa And Anr. ....Respondent

WITH  
COMMERCIAL ADMIRALTY SUITS NO. 284 OF 2015

Raj Shipping Agencies Limited ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
ADMIRALTY SUITS NO. 17 OF 2015

Raj Transport & Trading Company ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
COMMERCIAL SUIT NO. 73 OF 2016

Sumayla Marine Service ....Petitioner  
V/S  
Dlb Nand Gaurav And Another ....Respondent

WITH  
ADMIRALTY SUITS NO. 20 OF 2015

Transtar Offshore Services Pvt. Ltd. ....Petitioner  
V/S  
Dlb Nand Gaurav And Another ....Respondent

WITH  
NOTICE OF MOTION IN COMMERCIAL DIVISION MATTERS NO. 74 OF 2015  
In

COMMERCIAL ADMIRALTY SUITS 284 OF 2015

Raj Shipping Agencies Limited ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1162 OF 2015  
In  
ADMIRALTY SUITS 1 OF 2015

Atlantic Shipping Pvt. Ltd. ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
NOTICE OF MOTION IN COMMERCIAL DIVISION MATTERS NO. 75 OF 2015  
In  
COMMERCIAL ADMIRALTY SUITS 285 OF 2015

Tag Offshore Limited ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1721 OF 2015  
In  
ADMIRALTY SUITS 17 OF 2015

Raj Transport & Trading Company ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1161 OF 2015

In  
ADMIRALTY SUITS 6 OF 2015

Raj Shipping Agencies .....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1166 OF 2015

In  
ADMIRALTY SUITS 17 OF 2015

Raj Transport & Trading Company .....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH  
NOTICE OF MOTION IN COMMERCIAL DIVISION MATTERS NO. 73 OF 2015

In  
COMMERCIAL ADMIRALTY SUITS 284 OF 2015

Raj Shipping Agencies Limited .....Petitioner  
V/S  
Barge Madhwa And Anr And Punj Lloyd Ltd .....Respondent  
(applicant)

WITH  
NOTICE OF MOTION (SUITS) NO. 1715 OF 2015

In  
ADMIRALTY SUITS 1 OF 2015

Atlantic Shipping Pvt. Ltd. .....Petitioner  
V/S  
Barge Madhwa And Anr .....Respondent

WITH  
NOTICE OF MOTION IN COMMERCIAL DIVISION MATTERS NO. 76 OF 2015  
In  
COMMERCIAL ADMIRALTY SUITS 285 OF 2015

Tag Offshore Limited ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1717 OF 2015  
In  
ADMIRALTY SUITS 6 OF 2015

Raj Shipping Agencies ....Petitioner  
V/S  
Barge Madhwa And Anr ....Respondent

WITH  
COMMERCIAL SUIT NO. 319 OF 2016

M/s.supreme Hydro Engineering Pvt Ltd ....Petitioner  
V/S  
M.v.tag7 [imo:9379002] And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) LODGING NO. 180 OF 2016  
In  
ADMIRALTY SUITS 20 OF 2015

Transtar Offshore Services Pvt. Ltd. ....Petitioner  
V/S  
Dlb Nand Gaurav And Anr ....Respondent

WITH

NOTICE OF MOTION (SUITS) LODGING NO. 181 OF 2016

In

COMMERCIAL SUIT 73 OF 2016

Sumayla Marine Service ....Petitioner  
V/S  
Dlb Nand Gaurav And Anr ....Respondent

WITH

NOTICE OF MOTION (SUITS) NO. 1718 OF 2015

In

ADMIRALTY SUITS 11 OF 2015

Integr8 Fuels Inc. ....Petitioner  
V/S  
Madhwa And Anr. ....Respondent

WITH

ADMIRALTY SUITS NO. 1 OF 2017

Barkat Hiring Co. ....Petitioner  
V/S  
Malaviya Thirty Three And Anr ....Respondent

WITH

ADMIRALTY SUITS NO. 28 OF 2017

Vipu Thazhathupulikkal Purushothaman Nair ....Petitioner  
V/S  
Sale Proceeds Of M. V. Malaviya 28 And 22 Ors ....Respondent

WITH

ADMIRALTY SUITS NO. 33 OF 2017

Durva Engineering Works ....Petitioner

V/S  
M. V. Malaviya Thirty Six (imo No. 8519083) ....Respondent

WITH  
COMMERCIAL ADMIRALTY SUITS NO. 482 OF 2017

Mars Petrochem Pvt. Ltd. ....Petitioner

V/S  
Sales Proceeds Of M.v. Malaviya 23, Imo ....Respondent  
9299082 And 5 Ors

WITH  
COMMERCIAL ADMIRALTY SUITS NO. 121 OF 2017

Unique Marine Service ....Petitioner

V/S  
Malaviya Thirty (imo:9333515) And Anr ....Respondent

WITH  
NOTICE OF MOTION (SUITS) NO. 1158 OF 2015  
In  
ADMIRALTY SUITS 11 OF 2015

Integr8 Fuels Inc. ....Petitioner

V/S  
Madhwa And Anr. And Punj Lloyd Ltd ....Respondent  
(applicant)

WITH  
NOTICE OF MOTION (SUITS) NO. 1805 OF 2019  
In  
ADMIRALTY SUITS 6 OF 2015

Raj Shipping Agencies ....Petitioner

V/S

Barge Madhwa And Anr

....Respondent

WITH

COMMERCIAL ADMIRALTY SUITS NO. 142 OF 2016

Raj Shipping Agencies

....Petitioner

V/S

M. V. Malaviya Thirty And 3 Ors

....Respondent

Mr. Prasad Shenoy a/w Mr. Naishadh Bhatia i/b M/s. Crawford Bayley and Co. for Plaintiff in ADMS/6/2015, ADMS/1/2017, COMAS/121/2017 and AMDS/1/2015;

Mr. Rajendra Shahasane i/b Harsh Pratap for Plaintiff in ADMS/11/2015;

Dr. Shrikant Hathi i/b Brus Chambers for Plaintiff in ADMS/33/2017;

Mr. Anil Vishnoi i/b Ashwin Shanker for Plaintiff in ADMS/20/2015, COMS/73/2016, COMAS/142/2016, ADMS/28/2017;

Ms. Aparna Sinha i/b S. Priya for Defendant in ADMS/1/2017, COMAS/482/2017, COMAS/121/2017, COMAS/142/2017 (in liquidation);

Mr. Ajai Fernandes a/w Ms. Sneha B. Pandey I/b Motiwalla and Co. for Applicant in CHS/66/2018;

Ms. Hiral Vora I/b Maniar Srivastava Associates erstwhile advocates for Defendant No. 2 (except in COMSA/121/2017);

Ms. S. Priya for Defendant in COMAS/121/2017 (in liquidation).

Mr. Suhas Sawant, Dy. Official Liquidator present;

Dr. Abhinav Chandrachud (Amicus Curiae) assisted by Mr. Saurish Shetye and Mr. Shailendra Singh present.

**CORAM : K.R. SHRIRAM, J**

**DATE : 9th August, 2019**

**P.C. :**

Stand over to 24 August 2019 at 11.00 in Conference Hall.

**( ASSOCIATE )**