

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

**COMMERCIAL ADMIRALTY SUIT NO.35 OF 2022**

**Ceto Shipping Corporation )...Plaintiff**

**V/s.**

**Sale Proceeds of the Vessel MV Aeon )...Defendant**

**WITH  
INTERIM APPLICATION (L) NO.506 OF 2025  
IN  
COMMERCIAL ADMIRALTY SUIT NO.35 OF 2022  
WITH  
INTERIM APPLICATION (L) NO.2306 OF 2023  
IN  
COMMERCIAL ADMIRALTY SUIT NO.35 OF 2022  
WITH  
INTERIM APPLICATION (L) NO.9032 OF 2024  
IN  
COMMERCIAL ADMIRALTY SUIT NO.11 OF 2023  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.11 OF 2023  
WITH  
INTERIM APPLICATION (L) NO.9032 OF 2024  
IN  
COMMERCIAL ADMIRALTY SUIT NO.11 OF 2023  
WITH  
INTERIM APPLICATION (L) NO.18486 OF 2024  
IN  
COMMERCIAL ADMIRALTY SUIT NO.11 OF 2023  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.9 OF 2024  
WITH  
INTERIM APPLICATION (L) NO.13949 OF 2023  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.32 OF 2022  
WITH  
INTERIM APPLICATION NO.754 OF 2024**

IN  
COMMERCIAL ADMIRALTY SUIT NO.32 OF 2022  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
INTERIM APPLICATION (L) NO.38845 OF 2022  
IN  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
INTERIM APPLICATION NO.4649 OF 2022  
IN  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
INTERIM APPLICATION NO.4651 OF 2022  
IN  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
INTERIM APPLICATION NO.4907 OF 2022  
IN  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
INTERIM APPLICATION NO.1262 OF 2023  
IN  
COMMERCIAL ADMIRALTY SUIT NO.41 OF 2022  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.46 OF 2022  
WITH  
INTERIM APPLICATION (L) NO.24461 OF 2023  
IN  
COMMERCIAL ADMIRALTY SUIT NO.55 OF 2022  
WITH  
COMMERCIAL ADMIRALTY SUIT NO.55 OF 2022  
WITH  
INTERIM APPLICATION (L) NO.24461 OF 2023  
IN  
COMMERCIAL ADMIRALTY SUIT NO.55 OF 2022  
WITH  
INTERIM APPLICATION NO.164 OF 2023  
IN  
COMMERCIAL ADMIRALTY SUIT NO.55 OF 2022  
WITH

**COMMERCIAL ADMIRALTY SUIT NO.2 OF 2023  
WITH  
INTERIM APPLICATION NO.3703 OF 2024  
IN  
COMMERCIAL ADMIRALTY SUIT NO.2 OF 2023**

Mr.Abhishek Khare i/b Khare Legal Chambers for Plaintiff/Applicant in COMAS/55/2021,IAL/22421/2023 & 164/2023.

Mr. Heetkumar Vachani i/b Mr. Sujit Lohoti & Associates for Plaintiff in COMAS/39/2022.

Ms. Isha Sawant i/b Mr.Ashwin Shankar for Plaintiff/Applicant in COMAS/32/2022 & IA/754/2024,IA/4651/2022,IA/4649/2022 IN COMAS/41/2022.

Mr. Karan Bhosale a/w Ms.Madhura Shah i/b Mr.Utsav Dalal for Plaintiff in IA/9032/2024 & COMASL/9411/2023.

Ms. Neha Bhosale a/w Ms.Disha Parekh i/b NDB Law,Advocates for Plaintiff in COMAS/2/2023 & Advocates for Applicant/ Defendant No.2 in IAL/38845/2022 in COMAS/41/2022

Senior Advocate Mr. Prashant Pratap a/w Mr. Rishabh Saxena a/w Mr.Raghvendra Desai i/b Bose & Mitra & Co.,Advocate for Plaintiff in COMAS/41/2022 & for Applicant in IA/4907/2022.

Mr. Krushi N. Barfiwala, Ms. Rima Desai, Mr.Shlok Bodas and Mr. Divyanshu Gupta i/b Parinam Law Associate, Advocate for Plaintiff/Applicant in COMAS/9/2024 & IAL/13949/2023.

Ms.Meherzeen Avasia a/w Mr.Yazdi Jijina i/b Mulla &Mulla& Craigie Blunt & Caroe, Advocates for Defendant in COMAS/35/2022, for Applicant in IAL/506/2025, for Defendant No.1 in COMAS/41/2022.

**CORAM : ABHAY AHUJA, J.  
DATE : 10<sup>th</sup> JANUARY 2025**

PC. :

**COMAS 11 of 2023 with IAL 9032 OF 2023**

1. Mr. Bhosale, learned Counsel appears for the Plaintiff and submits that since the Suit is a Crew Suit and the Interim Application seeks a summary judgment in a manner similar to the decreed Suit, Commercial Admiralty Suit No. 55 of 2022, the same be taken up early. Accordingly, list on **24<sup>th</sup> January, 2025**.

2. Let objections in the Interim Application be removed and registered number be obtained by the next date.

**IA 4907 of 2022 with COMAS 41 of 2022**

3. Mr. Pratap, learned Senior Counsel appearing for the Applicant submits that this Interim Application seeks summary judgment.

4. Learned Senior Counsel submits that pleadings are complete and the matter be listed on 17<sup>th</sup> February, 2025 for hearing. Accordingly, list on **7<sup>th</sup> February, 2025**. Registry to accept the reply and rejoinder.

5. Ms. Avasia, learned Counsel appears for the Defendant No.1 and submits that they are in the process of taking discharge in the Suit.

6. Let the Defendant be informed of the next date.

**IA 3703 of 2024 with COMAS 2 of 2023**

7. Ms. Neha Bhosale, learned Counsel appears for the Respondent in the Intervention Application and seeks some time to file reply.

8. Let reply be filed within a period of two weeks, with copy to the other side. Rejoinder, in two weeks thereafter with copy to the other side. List on **7<sup>th</sup> February, 2025**.

**IA No. 4649 of 2022 and IA No. 4651 of 2022 in COMAS 41 of 2022**

9. Mr. Pratap, learned Senior Counsel appears for the Respondent and submits that he has instructions to file reply.

10. Let reply in both the Applications be filed within a period of three weeks with copy to the other side. Rejoinder in two weeks thereafter with copy to the other side. List on **21<sup>st</sup> February, 2025**.

**IA 2306 of 2023 with COMAS 35 of 2022**

11. This Court is informed that the Interim Application seeks rejection of the Plaint under Order VII Rule 11 of the Code of Civil Procedure, 1908.

12. It is submitted that the pleadings are complete.

13. Accordingly, list on **31<sup>st</sup> January, 2025**.

14. Ms. Avasia, learned Counsel for the Applicant-Defendant submits that they are in the process of taking discharge.

15. Accordingly, let the Applicant in the Interim Application No. 2306 of 2023 and the Defendant in the Suit be intimated of the next date.

**COMAS 55 of 2022**

16. Mr. Khare, learned Counsel appears for the Plaintiff and submits that there are two interim Applications, one for deciding priorities and the other for pay out, which are pending and since the Suit has been decreed, the same be listed on 31<sup>st</sup> January, 2025. Accordingly, list on **31<sup>st</sup> January, 2025**.

**IA 13949 of 2023 with COMAS 9 of 2024**

17. Mr. Barfiwala, learned Counsel appears for the Plaintiff and submits that Application is for summary judgment and the same be listed on 31<sup>st</sup> January, 2025. Accordingly, list on **31<sup>st</sup> January, 2025** alongwith COMAS 32 of 2022, COMAS 41 of 2022, COMAS 39 of 2022, COMAS 46 of 2022, COMAS 35 of 2022, COMAS 2 of 2023, COMAS 11 of 2023 and COMAS 9 of 2024 as well as connected Applications.

**(ABHAY AHUJA, J.)**