

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ADMIRALTY AND VICE ADMIRALTY JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL ADMIRALTY SUIT NO. 55 OF 2022**

Zubair Aslam Jerry and others ... Plaintiffs

Versus

Sale Proceeds of M T Aeon ... Defendant

**WITH
INTERIM APPLICATION NO. 360 OF 2025
INTERIM APPLICATION NO. 164 OF 2023
IN
COMMERCIAL ADMIRALTY SUIT NO. 55 OF 2022**

**WITH
INTERIM APPLICATION (L) NO. 9032 OF 2024
INTERIM APPLICATION (L) NO. 18486 OF 2024
INTERIM APPLICATION (L) NO. 13949 OF 2023
IN
COMMERCIAL ADMIRALTY SUIT NO. 11 OF 2023**

**WITH
COMMERCIAL ADMIRALTY SUIT NO. 11 OF 2023**

**WITH
COMMERCIAL ADMIRALTY SUIT NO. 9 OF 2024**

**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

COMMERCIAL ADMIRALTY SUIT NO. 35 OF 2022

WITH

INTERIM APPLICATION (L) NO. 2306 OF 2023

IN

COMMERCIAL ADMIRALTY SUIT NO. 35 OF 2022

WITH

COMMERCIAL ADMIRALTY SUIT NO. 46 OF 2022

WITH

COMMERCIAL ADMIRALTY SUIT NO. 2 OF 2023

Mr. Abhishek Khare alongwith Mr. R.P. Shirole instructed by Khare Legal Chambers, Advocate for the Plaintiffs in COMAS-55-2022 and for the Applicant in IA-360-2025.

Mr. Prashant Pratap, Senior Advocate alongwith Mr. Rishabh Saxena, Ms. Jyotika Jain, Mr. Shubham Agrahari and Mr. Raghvendra Desai instructed by Bose & Mitra & Co., Advocate for the Caveator/Plaintiff in COMAS-41-2022 and Applicant in IA-4907-2022 in COMAS-41-2022 and for the Respondent No.2 in IA-360-2025.

Ms. Krushi N. Barfiwala alongwith Ms. Rima Desai, Mr. Shlok Bodas and Mr. Divyanshu Gupta instructed by Parinam Law Associates, Advocate for the Applicant/Plaintiff in IAL-13949-2023 in COMAS-9-2024.

Mr. Navroz Seervai, Senior Advocate alongwith Ms. Neha Bhosale and Ms. Disha Parekh instructed by NDB Law, Advocate for the Plaintiff in COMAS-2-2023.

Mr. Siddharth Manek alongwith Ms. Charmi Shah instructed by Crawford Bayley & Co., Advocate for the Plaintiff in COMAS-35-2022. Ms. Isha Sawant, Advocate for the Plaintiff in COMAS-32-2022 and for the Applicants in IA-4649-2022, IA-754-2023 and IA-4651-2022. Mr. Yashwant Singh instructed by Mr. Utsav Dalal, Advocate for the Plaintiff in COMAS-11-2023 and for the Applicant in IAL-18486-2024.

CORAM : **ABHAY AHUJA, J.**
DATE : **7 FEBRUARY 2025**

PC. :

Interim Application No. 360 of 2025 :

1. Pursuant to the earlier orders of this Court, today when the matter is called out, at the outset, it is to be recorded that as far as the priorities mentioned in the chart tendered by Mr. Pratap, learned Senior Counsel on 31st January 2025 are concerned, the learned Senior Counsel/Counsel are ad-idem that the unpaid/crew wages be ranked as first in priority in accordance with Section 10 read with Section 9 of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017.
2. However, as regards the priorities with respect to the claim of the Plaintiff in Suit No.2 of 2023 and the claim of the Plaintiff in Suit No.41 of 2022 is concerned, Mr. Pratap, learned Senior Counsel, has concluded his arguments on behalf of the Respondent No.2. For Mr. Seervai, learned Senior Counsel, to commence his submissions on behalf of the Plaintiff in Commercial Admiralty Suit No.2 of 2023 with respect to the said priorities, list on **21st March 2025 at 3.15 p.m.**, as part-heard.

Commercial Admiralty Suit No.55 of 2022 :

3. Mr. Khare, learned Counsel, appears for the Plaintiffs in the said Suit and submits that since the learned Senior Counsel/Counsel have no objection to the first ranking of priorities with respect to the unpaid/crew wages, some time be granted to take out an appropriate application for payment out.

4. List on **7th March 2025**. Let appropriate application be taken out by the Plaintiff.

Commercial Admiralty Suit No.11 of 2023 :

5. Mr. Singh, learned Counsel, appearing for the Plaintiff in the Suit also submits that since the learned Senior Counsel/Counsel have no objection to the first ranking of priorities with respect to the crew wages submitted by Mr. Pratap, this Court may list the said Suit any time soon.

6. List on **7th March 2025**.

Interim Application (L) No.9032 of 2024, Interim Application (L) No.18486 of 2024 and Interim Application (L) No.13949 of 2023 in Commercial Admiralty Suit No.11 of 2023 :

7. List the Interim Applications on **21st March 2025**.

Commercial Admiralty Suit No.9 of 2024 :

8. List the Commercial Admiralty Suit No.9 of 2024 alongwith connected Interim Applications on **7th March 2025**.

(ABHAY AHUJA, J.)