

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

**COURT RECEIVER'S REPORT NO. 438 OF 2023
IN
EXECUTION APPLICATION NO. 240 OF 2011**

Asian Natural Resources (India) Ltd. ...Applicant

V/s.

Vitol S. A. ...Respondent

**WITH
NOTICE OF MOTION NO. 371 OF 2017
IN
CHAMBER SUMMONS NO. 14 OF 2017
WITH
CHAMBER SUMMONS NO. 76 OF 2017
IN
EXECUTION APPLICATION NO. 240 OF 2011
WITH
CHAMBER SUMMONS NO. 238 OF 2019
IN
CHAMBER SUMMONS NO. 14 OF 2017
WITH
CHAMBER SUMMONS NO. 542 OF 2016
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CHAMBER SUMMONS NO. 1447 OF 2015
IN
EXECUTION APPLICATION NO. 240 OF 2011
WITH
NOTICE OF MOTION (L) NO. 2214 OF 2015
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CHAMBER SUMMONS (L) NO. 1305 OF 2019
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
INTERIM APPLICATION NO. 45 OF 2025**

IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CONTEMPT PETITION NO. 34 OF 2016
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CHAMBER SUMMONS NO. 1610 OF 2016
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CHAMBER SUMMONS NO. 749 OF 2019
IN
CHAMBER SUMMONS NO. 305 OF 2019
WITH
NOTICE OF MOTION (L)NO. 2214 OF 2015
IN
CHAMBER SUMMONS NO. 1447 OF 2015
WITH
CHAMBER SUMMONS NO. 1056 OF 2014
IN
EXECUTION APPLICATION NO. 240 OF 2011

Ms. Naira Jeejeebhoy with Ms. Harsh Buch i/b Bose & Mitra & Co. for the Award Holder.

Mr. Aman Shukla, through VC i/b Mr. Rohit Dubey for the Union Bank of India.

Mr. Ashok Dhanuka with Mr. Vipul Makwana and Mr. Hitesh Gupta for the Applicant in CHSL 1305 of 2019.

Ms. Shivani Varade i/b Phoenix Legal for the Respondent No. 14- ICICI Bank.

Mrs. Nandini Deshpande, 1st Assistant to the Court Receiver.

CORAM : ABHAY AHUJA, J.
DATE : 14th OCTOBER, 2025

PC. :

1. When the matter is called out, Ms. Jeejeebhoy, learned Counsel appears for the Applicant/Judgment Creditor and tenders across the

bar an email communication from Geochem Laboratories Pvt. Ltd. to the Advocate for the Applicant submitting that for valuation of the cargo viz. Coking Coal lying at Dharamtar Port, the survey fees would be Rs. 5,00,000/- per assessment at Dharamtar Port.

2. Ms. Jeejeebhoy further submits that the payment terms indicate that 100% advance payment has been requested for. Learned Counsel further submits that she has received instructions to submit that the Judgment Creditor is hesitant to make this payment as nothing remains at the two ports.

3. Ms. Jeejeeboy requests that this Court may direct the Court Receiver, High Court Bombay, who is in symbolic possession of the said cargo at both the Ports viz. Magadalla and Dharamtar to conduct the physical/visual inspection of the said cargo and place a report before this Court in order to ascertain the actual condition of the cargo before any appointment is made to value the said cargo.

3. The other learned Counsel appearing in the matter have no objection, if this course of action is adopted in as much as none of their clients are willing to bear the costs of the valuation.

4. Having heard the learned Counsel, this Court directs the Court Receiver, High Court Bombay, who is in symbolic possession of the suit cargo (Coking Coal) to conduct a physical / visual inspection of the site with respect to the suit cargo at Magadalla and Dharamtar Ports and place a report before this Court within a period of six weeks.

5. Further directions in the matter will depend on the report placed before this Court by the Court Receiver.

7. All to render necessary assistance to the Court Receiver / representative.

8. Mr. Dhanuka, learned Counsel appearing for the Liquidator of the Judgment Debtor submits that a response to the report of the Prothonotary & Senior Master with respect to the restrained accounts has already been filed. Let the same be served on all concerned. Let response to the same be filed by the next date.

9. List on **16th December, 2025.**

(ABHAY AHUJA, J.)