

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

CHAMBER SUMMONS (L.) NO.1697 OF 2014

IN

EXECUTION APPLICATION NO.240 OF 2011

IN

FOREIGN AWARD DATED 17th JANUARY, 2011

Asian Natural Resources (I) Ltd.
(Bhatia International Ltd.)

...

Claimant /
Award Debtor

Vs.

Vitol S A

...

Respondent /
Award Holder

Mr. Jitendra Kesarkar, Adv. i/b. Ashok Singh, Adv. for Claimant /
Award Debtor.

Mr. Zal T. Andhyarunija, Adv. a/w. Mr. Shivkumar Iyer, Adv. a/w.
Mr. Aditya Krishnamurthy, Adv. a/w. Ms. Ramya Dharmaraaj, Adv.
i/b. Bose and Mitra & Co. for the Respondent / Award Holder.

CORAM : MRS. ROSHAN DALVI, J.

DATE : 27th OCTOBER, 2014

P.C. :

1. Not on board. Taken on board.
2. The claimant / award holder has applied without notice for an urgent relief in respect of the cargo of 30,000 MT of coal which has arrived in the port of Mumbai on 23rd October, 2014 on vessel MV Liberty Prudencia. The cargo of coal would require to be attached and sold by the Sheriff of Mumbai in enforcement of the foreign award between the parties dated 17th January, 2011. The cargo is being discharged from the ship at the port.

3. The respondent / Award debtor shall not deal with, dispose off or part with possession of the cargo pending the Chamber Summons. The cargo shall, however, be allowed to be discharged. The claimant / Award holder shall bear the costs, if any, of the storage of the cargo after discharge, pending the Chamber Summons and / or pending the attachment by the Sheriff in enforcement of above award.

3. Parties and all authorities shall act upon the copy of this order uploaded on the Internet.

4. The Chamber Summons is made returnable on 30th October, 2014.

(ROSHAN DALVI, J.)