

IN THE HIGH COURT OF KERALA AT ERNAKULAM

Present:

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

Wednesday, the 7th day of April 2021/17th Chaithra, 1943IA/2/2021 IN Adml.S./1/2021PETITIONER/4th DEFENDANT

MAERSK LINE INDIA PVT. LTD,
UNI TOWERS 5TH FLOOR, PANAMPILLY NAGAR,
COCHIN-682 036 REP. BY ITS MANAGER MR. JAIRAJ NARAYANAN

RESPONDENTS/PLAINTIFF & DEFENDANTS 1,2,3,& 5

1. SAN MARINE EXPORTS
SAKTHIKULANGARA, KOLLAM, KERALA-691 581, REP. BY IS PARTNER MR.
PHILOMENE ANTONY.
2. OWNERS AND PARTIES INTERESTED IN THE VESSEL
M.V. MAERSK AVON (IMO NO. 9164275),
3. MAERSK A/S.
ESPLANADEN 50, 1263 COPENHAGEN K, DENMARK, THROUGH BY ITS
INDIAN AGENTS, MAERSK LINE INDIA PVT. UNI TOWERS 5TH FLOOR,
PANAMPILLY NAGAR, COCHIN 682 036.
4. A.P. MOLLER MAERSK A/S.
ESPLANADEN 50, 1263 COPENHAGEN K, DENMARK, THROUGH BY ITS
INDIAN AGENTS, MAERSK LINE INDIA PVT. LTD, UNI TOWERS, 5TH FLOOR,
PANAMPILLY NAGAR, COCHIN 682 036.
5. THE DEPUTY CONSERVATOR, COCHIN PORT TRUST,
WILLINGDON ISLAND, COCHIN -682000

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to accept the Bank guarantee No.LEGBOM212371 dated 03/03/2021 drawn on HSBC Bank MG Road, Fort, Mumbai for an amount of Rs. 27,69,887.65/- produced along with memo dated 05.03.2021 and direct the registry to retain the same in safe custody and return the Demand Draft No.166515 dated 05/02/2021 of ICICI Bank Ltd. Free

Press House, Nariman Point Mumbai to the counsel for the Petitioner.

This application coming on for orders upon perusing the application and the affidavit filed in support thereof and this courts order dated 5/02/2021 in IA NO.1/2021 and upon hearing the arguments of M/S V.M.SYAM KUMAR, SNEHA RAJIV, ROSY P.F, Advocates for the petitioner/D4 in Admiralty suit and of M/S JOY THATTIL ITTOOP, BABY SONIA, BIJISH B.TOM, GENS GEORGE ELAVINAMANNIL, JACOB TOMLIN VARGHESE, Advocates for R1/Plaintiff in Admiralty Suit, the court passed the following



Devan Ramachandran, J.

I.A.No.2 of 2021
in
Admiralty Suit No.1 of 2021

Dated this the 07th day of April, 2021

ORDER

This application is not opposed by the plaintiff.

Consequently, the Registry is directed to return the Demand Draft bearing No.166515 dated 05.02.2021 drawn on the ICICI Bank Ltd, Nariman Point Mumbai, to the Counsel for the petitioner/4th defendant; after verifying that the Bank Guarantee, bearing No.LEGBOM212371 dated 03.03.2021 drawn on the HSBC Bank, M.G.Road, Mumbai for an amount of Rs.27,69,887.65/-, is in order.

Needless to say, after such verification, the Bank Guarantee will be kept in safe custody.

List this Admiralty Suit after vacation.

**Sd/-
DEVAN RAMACHANDRAN,
JUDGE**

MC

/true copy/

Sd/- ASSISTANT REGISTRAR