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IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 4167 OF 2012

| M.T. ENRICA LEXIE & ANOTHER | ... | APPELLANT(s) |  
| Versus |  
| DORMMA & OTHERS | ... | RESPONDENT(s) |

O R D E R

On 18.7.2012 in I.A. No. 3 of 2012 in Civil Appeal No. 4167 of 2012, the following order came to be passed by this Court:

"I.A. No.3 of 2012 has been made by the applicants praying therein that Registrar General, High Court of Kerala (for short "Registrar General") be directed to return the demand draft No. 342530 dated May 5, 2012 for Rs. 3 crores drawn on Standard Chartered Bank, Willingdon Island Branch, Cochin given by applicant No. 2 in favour of Registrar General, High Court of Kerala.

2. There is merit in the contention of the applicants that Registrar General was not justified in asking the applicant No. 2 either to furnish the bank guarantee for an amount of Rs. 3 crores in favour of the High Court of Kerala or in the alternative a fixed deposit receipt for the said amount since the direction given by this Court in the order dated May 2, 2012 was unambiguous, unequivocal and clear that the applicant NO. 2 shall execute a bond in the sum of Rs. 3 crores before the Registrar General of Kerala High Court for production of the first appellant vessel and securing the presence of the six crew members as and when called upon by any court or the Investigating Officer or any other lawful authority. However, now since the applicant No. 2 has already deposited a sum of Rs. 3 crores which has been kept in the fixed deposit, we do not intend to set-aside the direction given by the Registrar General. The prayer made in paragraph 13A of the application is declined.

3. I.A. No. 3 of 2012 is, accordingly, disposed of."

2. The matter has been listed today as the Registrar General of the High Court of Kerala by letter dated 30/04/2013 has sought necessary directions regarding renewal of fixed deposit receipt (F.D.R.) produced in support of the bond executed by the appellant No. 2 - Dolphin Tanker SRL (for short "Dolphin").

3. Mr. Raghenth Basant, learned counsel for the appellants submits that there is no justification for renewal of F.D.R. dated 7.5.2012 in view of the order passed by this Court on 18.7.2012, as quoted above.

3. Mr. M.T. George, learned counsel for the State of Kerala also submits that in light of the order dated 18.7.2012, the F.D.R. amount of Rs. 3 crores may be returned to the appellant No. 2-

Dolphin.

4. In view of the above, we are satisfied that there is no necessity to renew the F.D.R. as a bond in compliance of the order of this Court has already been executed by the appellant No. 2 -Dolphin.

5. We, accordingly, direct the Registrar General of the High Court of Kerala to return the amount of Rs. 3 crores to the appellant No. 2 - Dolphin along with interest accrued thereon expeditiously and in no case later than two weeks from today.

6. Office report is ordered accordingly.

.....J.  
(R.M. LODHA)

.....J.  
(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI  
JULY 12, 2013.

ITEM NO.4

COURT NO.4

SECTION XIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS  
CIVIL APPEAL NO(s). 4167 OF 2012

M.T. ENRICA LEXIE & ANR.

Appellant (s)

VERSUS

DORAMMA & ORS.

Respondent(s)

( office report for direction)

Date: 12/07/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Appellant(s) Mr. Raghenth Basant, Adv.

Mr. A.S.Bhati, Adv. for

Mr. Senthil Jagadeesan,Adv.

For Respondent(s) Mr. M.T. George,Adv.

UPON hearing counsel the Court made the following

O R D E R

Office report for direction is ordered in terms of signed  
order.

|(Pardeep Kumar)

| |(Renu Diwan)

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[SIGNED ORDER IS PLACED ON THE FILE]