

**SHERIFF'S NOTICE**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ADMIRALTY & VICE ADMIRALTY JURISDICTION  
IN ITS COMMERCIAL DIVISION  
COMMERCIAL NOTICE OF MOTION (L) NO.934 OF 2019  
IN  
COMMERCIAL ADMIRALTY SUIT (L) NO.15 OF 2019

Export Import Bank of India ... Applicant

In the matter of :

Export Import Bank of India .... Plaintiff

Versus

Tag 15 (Official No.4193) & Anr. .... Defendants

Notice is hereby given that pursuant to the Order dated 3<sup>rd</sup> April, 2019 passed by the Hon'ble High Court, Bombay, in the captioned matter, the Sheriff of Mumbai has been directed to auction the Tag 15 (Official No.4193) described hereunder which is presently lying at Angre Port Private Limited, Jaigarh, Dist. Ratnagiri by inviting bids in sealed covers in US Dollar currency / Indian Rupees at his office situated on the Ground Floor of the Old Secretariat Building (City Civil Court Building), Karmaveer Bhaurao Patil Marg, (Mayo Road), Fort, Mumbai – 400 032.

The intending bidders may give their offer(s) alongwith the **Earnest Money Deposit of Rs.50,00,000/- (Rupees Fifty Lakhs only)** or equivalent US Dollars by means of Banker's Cheque / Demand Draft in favour of Sheriff of Mumbai payable at Mumbai or by SWIFT remittance into the account of Sheriff of Mumbai as given in the Terms and Conditions of Sale, to the office of Sheriff of Mumbai by **22<sup>nd</sup> April, 2019, upto 16.00 hrs.** (between 11.00 hrs to 16.00 hrs, IST of working day) The offers in sealed covers will be placed before the Hon'ble Admiralty Judge of the Hon'ble High Court, Bombay on **23<sup>rd</sup> April, 2019 at 15.00 hrs (IST)**. The bidder(s) / offerer (s) shall remain present before the Hon'ble Admiralty Judge of the Hon'ble High Court, Bombay on **23<sup>rd</sup> April, 2019 at 15.00 hrs. (IST)**.

.....2

The Specifications of the vessel are given below:

Name of the Vessel	:	Tag 15 (Official No.4193)
Flag	:	Indian
Call Sign	:	AWIX
IMO number	:	9705550
MMSI	:	419000955
Built Year	:	2015
Type of Vessel	:	Offshore Tug / Supply Ship
Gross Tonnage	:	1944
Net Tonnage	:	583
Dead Weight	:	1514
Registered length	:	60 mtrs.
Main breadth to outside of plating	:	15.822 mtrs.
Engine Power (HP)	:	2 x 2206 KW

The Tag 15 (Official No.4193) will be sold on 'as is where is, what is there' basis. All risks, costs, charges, fees and expenses of any kind or nature involved in the removal of the said vessel from her present position will be solely on account of the successful purchaser. Successful bidder to take over the safety of the said vessel within 24 hours of being declared the highest / successful bidder and payment of the entire sale consideration to be made into this Hon'ble Court.

Intending bidders may inspect the above **from 10<sup>th</sup> April, 2019 to 18<sup>th</sup> April, 2019**, at their expense by making necessary application to the Sheriff of Mumbai. The terms and conditions of the sale can be obtained from **10<sup>th</sup> April, 2019 to 20<sup>th</sup> April, 2019 (between 11.00 hrs to 17.00 hrs on working days) (IST)** on making payment of Rs.100/- (Non refundable) from the office of the Sheriff of Mumbai at the aforesaid address.

Dated this 4<sup>th</sup> day of April, 2019

Sheriff's Office, )  
Old Secretariat Bldg., )  
Mumbai - 400 032. )  
Office No.022-22843693/ )  
22843498 )  
Email - dysheriff@gmail.com)

DEPUTY SHERIFF OF MUMBAI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ADMIRALTY & VICE ADMIRALTY JURISDICTION  
IN ITS COMMERCIAL DIVISION  
COMMERCIAL NOTICE OF MOTION (L) NO. 934 OF 2019  
IN  
COMMERCIAL ADMIRALTY SUIT (L) NO. 15 OF 2019**

Export Import Bank of India ...Applicant

IN THE MATTER OF :

Export Import Bank of India ...Plaintiff

Versus

Tag 15 (Official No. 4193) & Anr. ...Defendants

Ms. S. Priya a/w Mr. Abhimanyu Singh for the Plaintiff.

Mr. Simil Purohit instructed by Zunjarrao & Co. for Mr. Shamik Apparao,  
Managing Director of Defendant No. 2.

Mr. S. Chitgopikar, Deputy Sheriff, Mumbai, present.

**CORAM: S. J. KATHAWALLA, J.**

**DATE: 3<sup>rd</sup> APRIL, 2019.**

**P.C.:**

1. Defendant No. 1 vessel has been under arrest since 4<sup>th</sup> March, 2019. Ms. S. Priya, Ld. Advocate for the Plaintiff states that a copy of the Order of Arrest dated 04.03.2019, along with a copy of the Plaint, Judge's Order and Sheriff's Letter have been served upon the Defendant No. 2.

2. However, the Defendant No. 2 i.e. the owners of the vessel have not come forward to seek release of the Defendant No. 1 vessel. Pursuant to order dated 01.04.2019, Mr. Shamik Apparao, Managing Director, Tag Offshore Limited was present in Court along with his Counsel on 02.04.2019 when a

statement was made that Mr. Shamik Apparao has no funds even for supplying fuel, bunkers to the subject vessel. The Counsel for the Plaintiff brought to the attention of the Hon'ble Court that the Plaintiffs have been informed by the Defendant No. 2 that the P& I cover as well as the Hull and Machinery insurance for the Defendant No. 1 vessel as well as for the entire Tag fleet had expired and that the company were unable to make payment of these expenses. Mr. Shamik Apparao had stated that he has no objection if the said vessel is put up for sale and the amount disbursed as per the provisions of law.

3. In view of the aforesaid, in order to avoid harm / risk to the crew on board the Defendant No. 1, and damage harm / harm to any other person, the Defendant No. 1 vessel, Tag 15 (Official No. 4193), shall be forthwith sold through the office of Sheriff of Mumbai, as per the schedule below.

a. 4<sup>th</sup> April, 2019 - Office of Sheriff of Mumbai to hold a meeting at 12 p.m. with the Advocates of the parties to finalise the terms and conditions of the auction sale of the vessel, Tag 15 (Official No. 4193).

b. M/s J. B. Boda & Co., are appointed as Surveyors to Survey the vessel, Tag 15 (Official No. 4193), lying at Angre Port, Jaigarh Port, and submit a valuation report of said vessel in a sealed envelope to the Office of Sheriff of Mumbai by / before 18<sup>th</sup> April, 2019.

c. 9<sup>th</sup> April, 2019 - Office of Sheriff of Mumbai to publish the advertisement for sale of the Defendant No. 1 vessel, Tag 15 (Official No. 4193), in Free Press Journal (English) Janmabhoomi (Gujarati) and Maharashtra Times (Marathi) and also on the website of the Bombay High Court. It is clarified that the Defendant No. 1 vessel, Tag 15 (Official No. 4193), will be sold on "as is where is, what is there" basis. All costs, charges, fees and expenses of

any kind or nature in removing the vessel from her present position will be solely on account of the successful purchaser.

d. 10<sup>th</sup> April, 2019 to 18<sup>th</sup> April, 2019 - Inspection of the vessel by intending bidders, at their costs and expense, if required by them.

e. 22<sup>nd</sup> April, 2019 - Intending bidders to submit their offer / bid in a sealed envelope to the Office of Sheriff of Mumbai by 4 p.m. for purchase of the vessel. The intending bidders shall also make a Earnest Money Deposit of Rs. 50 Lacs by a Demand Draft in favour of the Sheriff of Mumbai failing which the envelope containing the bid will not be accepted by the Office of Sheriff of Mumbai.

f. 23<sup>rd</sup> April, 2019 - Office of the Sheriff of Mumbai to place the sealed bids along with a Report before this Court at 3 p.m.

g. 26<sup>th</sup> April, 2019 - Payment of the balance purchase consideration by the successful bidder.

4. The Plaintiff is directed to deposit the sum of Rs. 5 lacs by 8<sup>th</sup> April, 2019, with the Office of Sheriff of Mumbai towards meeting the costs of survey, valuation, advertisement of the Defendant No. 1 vessel. Needless to mention the said deposit will be considered as Sheriff's expenses and paid out of the sale proceeds of the Defendant No. 1 vessel.

5. Liberty to move the Court in case any difficulty arises.

6. Stand over to 23<sup>rd</sup> April, 2019, at 3 p.m.

7. All concerned including the Office of Sheriff of Mumbai to act on an ordinary copy of this Order duly authenticated by the Associate/PS/PA of this Court.
8. The Sheriff Report is accordingly disposed off.

**(S. J. KATHAWALLA, J.)**