



IN THE HIGH COURT OF ORISSA AT CUTTACK

ADMLS No.5 of 2025

***SILK ROAD SHIPPING
AND CHARTERING
LTD., Cuttack***

Plaintiff

Mr. P. Kamat, Advocate
Mr. G. Mishra, Advocate
Mr. V. Kamat, Advocate
Mr. Z. Cutlerywala, Advocate

-versus-

***MV MAGNET TEAM
(IMO: 9233507)***

Defendant

CORAM: JUSTICE V. NARASINGH

**ORDER
27.10.2025**

**Order
No.**

ADMLS No.5 of 2025 & I.A No.24 of 2025

01. 1. The matter was not in today's list. On being mentioned, considering the urgency, the same is taken up by way of special notice.
2. Perused the noting of the Registry "caveat checked".
3. I.A. No.24 of 2025 has been filed for extension of time for the payment of Court fees.
4. Considering the recitals in the I.A. and the submissions made, the Plaintiff is directed to deposit the deficit Court fees as per the calculation of the Registry by 03.11.2025, as undertaken.



4-A. In the event the deficit Court fees as undertaken is not deposited, the Suit shall stand dismissed without further reference to the Bench.

5. Heard learned counsel for the Plaintiff, Mr. Kamat and perused the plaint.

6. Prima facie on considering the submissions vis-à-vis the recitals in the plaint, this Court is satisfied that the claim is maintainable in this forum of admiralty against the Defendant Vessel MV MAGNET TEAM (IMO: 9233507).

7. Admit.

8. Issue notice to the Defendant. Requisites shall be filed by Friday (31.10.2025), peremptorily.

9. List this matter on 01.12.2025.

(V. Narasingh)
Admiralty Judge

I.A No.25 of 2025

02. 1. This Interim Application has been filed seeking, inter alia, arrest of the Defendant Vessel MV MAGNET TEAM (IMO: 9233507).

2. Heard learned counsel for the Plaintiff and perused the I.A.

3. It is submitted by the learned counsel for the Plaintiff – Silk Road Shipping & Chartering Ltd. that by virtue of the I.A the arrest of Defendant Vessel - MV MAGNET TEAM (IMO: 9233507) is being sought.

4. It is submitted that this Admiralty Suit relates to the violation of the terms of the Charter which is



covered under Section 4(1)(h) of the Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017 (hereinafter referred to as "Act 2017"). In this context reference is also made to the Holds Inspection Certificate which was done on 19.08.2025, which was conducted in the presence of the master of Defendant Vessel.

5. The present Plaintiff has claimed an amount of Rs.2,11,82,656/- along with interest at the rate of 12% per annum till the realization of the dues of the Plaintiff.

6. Considering the submission vis-à-vis the recitals of the plaint and the documents annexed thereto, a prima facie case is made out for arrest of Defendant Vessel – MV MAGNET TEAM (IMO: 9233507).

7. This Court is persuaded to hold that unless order of arrest of Defendant Vessel – MV MAGNET TEAM (IMO: 9233507), as prayed for, is passed, the cause of the Plaintiff will be frustrated and the suit will be rendered infructuous, as it is stated by the Plaintiff on instructions that the Vessel in question is likely to leave jurisdictional port i.e. Paradip Port in course of the day.

8. Hence, Defendant Vessel - MV MAGNET TEAM (IMO: 9233507) be arrested at Paradip Port. Accordingly, a separate Judge order is passed.

9. Ordered Accordingly.

9-A. In the event requisites for issuance of notice are not filed in the suit, as per the above Order No.1, the interim order shall also stand vacated.



10. It is hereby clarified that the cargo, if any, being carried in the Defendant Vessel is independent of the claim qua the Defendant. As such pendency of the ADMLS shall not be a bar for unloading the cargo as per the norms in vogue.

11. The Plaintiff is at liberty to communicate the order along with letter of the Marshall of this Court, which is defined under Rule (2) of the Orissa High Court Admiralty (Jurisdiction and Settlement of Maritime Claims) Rules, 2020 and through Fax, E-mail and hand delivery. The Plaintiff is also at liberty to serve the warrant of arrest in course of next twenty four hours. All parties shall act on ordinary copy of this order duly authenticated by the Deputy Registrar (Judicial) of this Court.

12. Considering the urgency and the submission of the learned counsel for the Plaintiff that the Defendant Vessel is likely to sail this evening, leave is granted to the Plaintiff to intimate this order vide email to the Paradip Port Authority.

13. I.A is accordingly disposed of.

14. UCC in course of the day.

(V. Narasingh)
Admiralty Judge