

**NOTICE**

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**COMS. No.1 & 2 OF 2020**

**AND**

**C.S. NO.3 OF 2019**

**COMS NO.1 OF 2020**

- 1) North of England Protection and Indemnity Association Limited (NEPIA), registered under the Laws of United Kingdom having their office at 100 The Quayside, Newcastle Upon Tyne, NE1 3DU.
- 2) Dilbagh Singh Gahlaut, an Indian National, Master of M.V. DARSHANI PREM, having his address at D-103, Maestros, Salunke Vihar Road, Wanawadi, Pune - 411040 - represented by North of England Protection and Indemnity Association Limited (NEPIA), as Power of Attorney Holders through their authorized representative Mr.Sunil D'Souza and 18 others.

... Plaintiffs

And

M.V. DARSHANI PREM (IMO No.9471824), Offshore Supply Vessel flying the Flag of India and presently at the Port and Harbour of Kakinada within the territorial waters of India and within the Admiralty Jurisdiction of this Hon'ble Court... and two others.

... Defendants

**COMS NO.2 OF 2020**

Cap. Dilbagh Singh Gahlaut and 14 others. ... Plaintiffs

And

M.V. DARSHANI PREM (IMO No.9471824) and another. ... Defendants

**C.S. NO.3 OF 2019**

KAKINADA MARINE AND OFFSHORE COMPLEX LTD., represented by its Authorised Signatory, Mr.Bodapu Naveen Naga Kiran. ... Plaintiff

And

DARSHANI PREM (imo No.9471824) represented by its Managing Director & CEO, 2<sup>nd</sup> Floor, South Building, Beach Road, Kakinada and two others. ... Defendants

In pursuance to the orders dated 22.07.2021 and 16.08.2021 passed by Hon'ble Sri Justice M. Venkata Ramana of the Hon'ble High Court of Andhra Pradesh, Amaravati in I.A.No.2 of 2020 in COMS No.1 of 2020, the Registrar (Judicial), High Court of Andhra Pradesh has been directed to auction the vessel M.V. DARSHANI PREM (IMO No.9471824) described hereunder, lying at the port of Kakinada, Andhra Pradesh by inviting Bids in Sealed covers quoting in US Dollars at his Office situated on the second floor of the High Court of Andhra Pradesh, Nelapadu, Amaravati - 522237.

**ANNEXURE - I**

**" M.V. DARSHANI PREM" Vessel IMO 9471824" with the following particulars:**

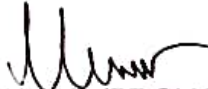
- 1) Call Sign "AVBA"
- 2) Year of Built & Place- 2007 & CHINA
- 3) IMO No: 9471824
- 4) LOA: 114.60 metres
- 5) Breadth: 21.00 metres
- 6) Depth: 9.20 metres
- 7) Summer Dead Weight: 9492 metric tons
- 8) Main Engine: WUXI ANTAI POWER MACHINERY CO. LTD., G16VCZ20(21)B Diesel Engine 2 x4412 KW

- 9) Dredge Capacity: 7226 M3
- 10) Classification Society - Expired
- 11) Type of Vessel: TSHD DREDGER
- 12) Bunkers on Board - **Approximately as on 30.12.2019** - Diesel Oil - 3.80 metric ton;  
Lube/oil - 34 Itrs.
- 13) P & I Club - Expired
- 14) Net Tonnage - 2183 Tons
- 15) Gross Tonnage - 7277 Tons
- 16) Owner of the Vessel - Mercator Limited
- 17) Flag - Indian
- 18) Port of Registry - Mumbai
- 19) Is being sold in "As is where is, what is there is" basis. All risks, costs, charges, fees expenses of any kind involved in the removal of the Vessel from her present position will be solely to the account of the successful bidder. The sale of above vessel is in pursuance of orders of the High Court of Andhra Pradesh, Amaravati, dated 22.07.2021 and 16.08.2021 in I A No.2 of 2020 in COMS Nos.1 & 2 of 2020 and C.S.No.3 of 2019 respectively.

Tender forms indicating the sale condition can be obtained from the office of the Assistant Registrar (Sri K. Tata Rao), High Court of Andhra Pradesh, Amaravati on all working days till 4.15 pm between 26.08.2021 and 16.09.2021 and can also be downloaded from the website of Kakinada Port Trust ([ports.ap.gov.in](http://ports.ap.gov.in)), Kakinada Seaports Limited ([www.kakinadaseaports.in](http://www.kakinadaseaports.in)).

The reserve price is fixed at Rs.12 crores (Rupees Twelve Crores only).

The sealed tenders shall reach the Registrar (Judicial) before 5.00 pm on 16.09.2021.

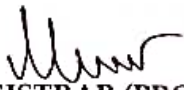
  
REGISTRAR (PROTOCOL)  
I/C REGISTRAR (JUDICIAL)  
HIGH COURT OF ANDHRAPRADESH

## ANNEXURE - II

1. The vessel will be sold in "AS IS WHERE IS, WHAT IS THERE IS" basis.
2. The sale shall be free of all liens including Maritime lien and statutory liens, all encumbrances and other claims against the said vessel or her owner.
3. The sealed tender should be superscribed "TENDER FOR THE PURCHASE OF M.V. DARSHANI PREM" and addressed to the Registrar (Judicial), High court of Andhra Pradesh, Amaravati, delivered either in person or by registered post with acknowledgment due so as to reach him by 5.00 pm on 16.09.2021.
4. All the tenders received after the due date and time will be summarily rejected.
5. Telegraphic/telex/e-mail offers are not acceptable.
6. The intending bidders shall give their offer(s) in a sealed cover along with Earnest Money Deposit of Rs.3,00,00,000/- (Rupees Three Crores only) (in USD only), which is 25% of the reserve price fixed by the High Court at Rs.12 crores, by way of wire transfer (foreign inward remittance) to State Bank of India, Guntur Main Branch, Account Number 3869202369, swift code SBININBB181, Routing number SBIN0000844), (excluding bank charges).
7. No Bank Guarantees or cheques will be accepted.
8. The tenders sent without Earnest Money Deposit, as mentioned above, will be rejected summarily.
9. The tenders will be opened on 23.09.2021 before the Hon'ble Admiralty Judge (Civil Admissions) of the High court of Andhra Pradesh, at Amaravati and the acceptance of any tender will be at the sole discretion of the Court to get the best possible Price.
10. All the bidders or the duly authorized representative of the bidders should be present in the Court on the date when the Bids are opened.
11. The successful bidder should pay the balance of bid amount on or before 08.10.2021 in the same manner as in Clause (6), i.e. by way of wire transfer (Foreign inward remittance) to State Bank of India, Guntur Main Branch, Account Number 3869202369, Swift Code SBININBB181, Routing number SBIN0000844 (excluding bank charges).
12. On payment of the full sale consideration by the successful bidder, the Registry will issue the sale certificate to the successful bidder.
13. In default of payment of the amount referred to above within the time stipulated, unless otherwise extended, the sale will stand automatically revoked and the earnest money deposit will be forfeited. Thereafter, the other bidders will be given an opportunity to raise their bid amount to the highest bid already accepted, if they so desire. In the event several bidders come forward by raising their bid amount, the highest offer would be accepted. And in the event there is no such offer, the vessel will be sold to the next highest bidder at the risk of the tenderer whose tender was accepted, subject to order of the High Court.
14. The Vessel may be inspected by the intending bidders at the KAKINADA HARBOUR between 10.00 a.m. and 5.00 p.m. on all working days from 26.08.2021 to 10.09.2021. The inspection expenses shall be borne exclusively by the intending bidders. The intending bidders shall leave a request in writing to the HARBOUR MASTER, KAKINADA SEA PORTS LTD., KAKINADA, one day in advance, the date on which they intend to carry out the inspection. The inspection expenses incurred by the Kakinada Sea Ports Limited shall be borne by the intending bidders.
15. The successful bidder shall take over the safety of the vessel within 24 hours of being declared the Highest/Successful bidder.

16. The successful bidder will have to pay all the port charges and all other statutory dues to all Departments concerned from the date of the confirmation of sale till date of actual removal of the vessel from the Harbor.
17. All risks, costs, charges, fees and expenses of any kind involved in the removal of the vessel from her present position will be solely to the account of the successful bidder.
18. The vessel should be removed from the KAKINADA SEA PORTS LIMITED limits within fifteen days from the date of securing necessary permission from the Mercantile Marine Department and other Authorities concerned, whichever is later, keeping the HARBOUR MASTER informed of developments and clear programme every week. During the said period, the Vessel should be kept manned by Certified Master, Officers and Engineers and adequate number of crew as required by the Mercantile Marine Department at the expense of the successful bidder.
19. Under no circumstances, the successful bidder will be permitted to break/dismantle the Vessel either in the Port of KAKINADA or in the KAKINADA HARBOUR.
20. The Vessel will be sold free of all liens/encumbrances and liabilities.
21. The Earnest Money Deposit made by the unsuccessful bidder(s) will be refunded by the Registrar (Judicial), High Court of Andhra Pradesh, Amaravati, on the Admiralty Court confirming the sale in favour of the successful bidder, after deducting Bank Charges/Commission, if any.
22. Customs, Excise, GST or other duty or taxes, if any, involved in the sale will be on successful bidder's Account.

Date: 24.8.2021  
Amaravati

  
REGISTRAR (PROTOCOL)  
I/C REGISTRAR (JUDICIAL)  
HIGH COURT OF ANDHRAPRADESH