



Siddhi

**IN THE HIGH COURT OF BOMBAY AT GOA**

**WRIT PETITION NO.287 OF 2026**

Spring Co. Ltd.,

A company incorporated under  
the applicable laws of Liberia  
having address at 80, Broad Street,  
Morovia, Liberia, through  
its authorized signatory

.... PETITIONER

Versus

1. State of Goa,  
Through the Chief Secretary,  
Having office at Secretariat,  
Alto Porvorim, Bardez, Goa

2. The Captain of Ports  
Dayanand Bandodkar Road,  
Panjim, Goa, 403001

3. Danaos Ship Management  
Private Limited, A company  
incorporated under the laws of India  
14<sup>th</sup> FLOOR, OFFICE NO. 1410,  
KAMDHENU COMMERZ PANVEL,  
RAIGARH, KHARGHAR,  
Maharashtra, India, 410210

Also having addresses at:

H. No. ADG / 17 / 368, Phase 2,  
Plot No. 368, Ground Floor,  
Bambolim, Panaji, 403 202

And



19/2 Sahapur Road  
2<sup>nd</sup> Floor Kolkata 700053

.... RESPONDENTS

Mr. Nikhil Vaze with Mr. B. Majumdar, Mr. Aniket Kunde and Mr. Pranav Vaze, Advocates for the Petitioner.

Mr. Prashil Arolkar, Additional Government Advocate for Respondent Nos. 1 and 2.

Mr. Shailesh Redkar, Advocate for Respondent No. 3

**CORAM:- VALMIKI MENEZES &  
AMIT S. JAMSANDEKAR, JJ.**

**DATED :- 21<sup>st</sup> April, 2026**

#### JUDGMENT

1. The Registry is directed to waive office objections, if any, and register the matter.

2. Rule. Rule is made returnable forthwith and heard finally by consent of the learned counsel for the parties. Mr. Prashil Arolkar, Additional Government Advocate waives service on behalf of Respondent Nos. 1 and 2, and Mr. Shailesh Redkar, waives service on behalf of Respondent No. 3

3. The subject matter of this petition is for a direction to the Captain of Ports, Goa, to dispose of the application under Section 32 of the Inland Vessels Act, 2021, for cancellation of the registration of a vessel,



“MV ‘Sikha”, which was registered with the Respondent No 2.

4. From the record what transpires is that the said Vessel was arrested on 22.02.2023 under orders of the High Court Division of the Supreme Court of Bangladesh at jetty of Shah Cement Factory, Muktarpur, Munshiganj. The arrest order was issued since the Respondent No. 3 claimed that the original owners of the Vessel owed Respondent No. 3 certain sums of money which was due and payable.

5. Pursuant to the arrest order, the High Court Division of the Supreme Court of Bangladesh vide order dated 27.08.2024, with the consent of Respondent No. 3, directed sale of the vessel in an auction, which ultimately came to be purchased by the Petitioner, who was the highest bidder. The sale came to be confirmed by the order of the High Court Division of the Supreme Court of Bangladesh dated 04.12.2024, and a Writ of Delivery of Possession to that effect was issued in favour of the Petitioner by the said Court on 05.05.2025. The sale certificate was issued in favour of the Petitioner with respect to the said Vessel on 10.12.2025 pursuant to which the Vessel sailed out of the jurisdiction of the High Court Division of the Supreme Court of Bangladesh.

6. Since the Vessel was registered under the Indian flag at the



relevant time the Petitioner sought to transfer the registration to the Non-Indian flag. The Petitioner filed application under Section 32 of the Inland Vessels Act, 2021, before the Captain of Ports at Goa, the Authority with whom the Vessel was registered, to seek cancellation of the registration under Section 32 with a view to transfer the registration to a Non-Indian Flag. The application was kept pending in view of objections by the Respondent No. 3.

7. After notice was issued to Respondent No. 3, giving Respondent No. 3 an opportunity to file their say, till date no reply has been placed on record. Shri Redkar, learned counsel for Respondent No. 3, today submits that he has instructions that Respondent No. 3 now intends to challenge the auction process itself, and the sale effected pursuant to the auction under the order of the High Court Division of the Supreme Court of Bangladesh, which is dated 27.08.2024.

8. He further submits that if such application is filed before the High Court Division of the Supreme Court of Bangladesh and the Respondent No. 3 succeeds in setting aside the auction, those orders may be frustrated by the grants of the reliefs in this petition.

9. We have perused the order dated 27.08.2025, directing the sale of



the Vessel, and the order dated 04.12.2024, confirming the sale of the Vessel after the auction was conducted by the High Court Division of the Supreme Court of Bangladesh. We note that in both these orders the Respondent No. 3 has specifically recorded his no objection for conducting the auction and for confirming sale of the Vessel in favour of the Petitioner. Thereafter, a sale certificate was issued in favour of the Petitioner in respect to the Vessel and a Writ of Delivery of Possession dated 05.05.2025 was also issued in favour of the Petitioner.

10. In the light of these specific orders passed by the High Court Division of the Supreme Court of Bangladesh and merely on an apprehension that the reliefs, if granted in this petition would jeopardise the case of the Respondent No.3 in seeking to challenge the auction, cannot be countenanced and would not come in our way to pass directions to the Captain of Ports, who is Respondent No. 2 to consider the application under Section 32 of the Inland Vessels Act, 2021, and grant the same within a specified period.

11. The objections which are raised by the Respondent No.3 are without any basis, considering the orders dated 27.08.2024 and 04.12.2024 of the Supreme Court of Bangladesh High Court Division.



12. Accordingly, we direct the Captain of Ports, Goa, to decide the Petitioner's application under Section 32 within a period of one week from today and pass appropriate orders, considering that there is no impediment for the grant of the same as contended by the Respondent No.3.

13. Rule is made partly absolute in terms of prayer clause (a) of the petition.

**AMIT S. JAMSANDEKAR, J.**

**VALMIKI MENEZES, J.**