

ORDER SHEET
IN THE HIGH COURT OF SINDH AT KARACHI
Admiralty Suit No.03 of 2019

Date	Order with Signature of Judge
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1. For order on CMA No.18/2019.
2. For order on CMA No.19/2019.
3. For order on CMA No.20/2019.

25.03.2019

Mr. Naveed Ahmed a/w Mr. Muhammad Hummul S. Zubedi,
advocates for Plaintiff.

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- 1) Urgency granted.
 - 2) Application is allowed, let Court fee be deposited within 07 days' time.
 - 3) This is a suit for recovery of US \$ 184,156/- being death compensation as per agreement of employment under Section 3(2)(f) of the Admiralty Ordinance, 1980. Learned Counsel for the plaintiff submits that the plaintiff's husband was employed with defendant pursuant to employment agreement dated 12.01.2017. Per learned Counsel, after joining the vessel in question, the deceased suffered a disease Carbuncle on board the Vessel in question and was admitted in a hospital in Sri Lanka, where some surgery was also performed. On 16.06.2016, the plaintiff's husband was discharged from service, whereas, outstanding dues were also not fully paid. Per learned Counsel, thereafter, he was admitted in a hospital in Karachi and finally expired on 02.07.2017. According to him a claim was lodged with defendant and initially the same was denied; but thereafter, through Letter dated 30.01.2019, issued by the Counsel for the defendant, an amount of Rs.10.0

million was offered as full and final settlement, which was not accepted by the plaintiff as it was much less than the dues payable to the plaintiff as per employment contract; hence, instant Suit. He submits that presently the defendant Vessel is berthed at Port Qasim, and orders for its arrest be passed in terms of the Ordinance, 1980.

Let notice be issued to the defendants for **15.04.2019** through Master of the Vessel M. T. "SOVEREIGN". Till the next date of hearing, the defendant vessel is ordered to be arrested and be shifted to the outer Anchorage of the Port till further orders, and the port authorities shall not allow this Vessel to sail without the permission of this Court. However, this order of arrest is subject to the defendant's furnishing security in the sum of Pak Rupees equivalent to US \$ 184,156/- to the satisfaction of the Nazir of this Court. If subject security is furnished, Nazir may certify the furnishing thereof and on such certificate being produced the defendant Vessel may be allowed to sail.

To come up on **15.04.2019**

JUDGE

Shahbaz