



**IN THE HIGH COURT OF KERALA AT ERNAKULAM  
PRESENT  
THE HONOURABLE MR. JUSTICE M.A.ABDUL HAKHIM**

**Monday, the 10<sup>th</sup> day of November 2025 / 19th Karthika, 1947  
IA.NO.5/2025 IN ADML.S. NO. 14 OF 2025 J**

**APPLICANT/PROPOSED TO BE IMPEADED ADDL. DEFENDANT:**

**ALL KERALA FISHING BOAT OPERATORS ASSOCIATION, MUNAMBAM, PO  
PALLIPORT, ERNAKULAM-683515 (REG NO. ER 1123/11) REPRESENTED BY ITS  
SECRETARY MR. OA JENTRIN.**

**RESPONDENTS/PLAINTIFF AND DEFENDANTS:**

- 1. ELSA 3 MARITIME INC. A COMPANY INCORPORATED UNDER THE LAWS OF LIBERIA, AND HAVING ITS OFFICE AT 80 BROAD STREET, MONROVIA, LIBERIA, REPRESENTED BY ITS POWER OF ATTORNEY HOLDER ANIL SHAMRAO JADHAV, S/O SHAMRAO BANSI JADHAV, AGE 41, RESIDING AT 147/151, DR. M. G. MAHIMTURA MARG, 3RD KUMBHARWADA, 2ND FLOOR, ROOM NO. 9, GIRGAON, MUMBAI., PIN - 400004**
- 2. MULTI CONTAINER MANAGEMENT S.A. A COMPANY INCORPORATED UNDER THE LAWS OF PANAMA, AND HAVING ITS OFFICE AT EDIFICIO PH TORRE PANAMA, 15TH FLOOR, BOULEVARD COSTA DEL AND AVENIDA LA ROTONDA, COSTA DEL ESTE, PANAMA, REPRESENTED BY ITS POWER OF ATTORNEY HOLDER ANIL SHAMRAO JADHAV, S/O SHAMRAO BANSI JADHAV, RESIDING AT 147/151, DR. M. G. MAHIMTURA MARG, 3RD KUMBHARWADA, 2ND FLOOR, ROOM NO. 9, GIRGAON, MUMBAI ., PIN - 400004**
- 3. MSC MEDITERRANEAN SHIPPING CO S.A. A COMPANY INCORPORATED UNDER THE LAWS OF SWITZERLAND, AND HAVING ITS OFFICE AT CHEMIN RIEU 12-14, 1208, GENEVA, REPRESENTED BY ITS POWER OF ATTORNEY HOLDER JACOB GEORGE, S/O KV GEORGE RESIDING AT KARIMPILACKIL HOUSE, 1-7, STREET NO. 1, DEEPTHI NAGAR, KOTTAYAM., PIN - 686004**
- 4. MR. SAJI SURENDRAN PROPRIETOR, 'MANGALATH CASHEWS', RESIDING AT 637, TP VI, MELEPLAVILA VEEDU, CHERIKONAM, KANNANALLOOR P.O., KOLLAM, KERALA., PIN - 691576**
- 5. J. J. TRADING COMPANY A PARTNERSHIP FIRM REGISTERED UNDER THE LAWS OF INDIA, HAVING ITS OFFICE AT MP 2/207-208, KALAYAPURAM P.O., KOTTARAKKARA, KOLLAM, KERALA. REPRESENTED BY ITS MANAGING PARTNER MR. JOSEMON GEORGE, PIN - 691560**
- 6. MR. R. RAJENDRAN PROPRIETOR, 'RRR ENTERPRISES', AGED 50 YEARS, S/O RATHINA MANI, AND HAVING HIS OFFICE AT 26/25F, AMPILI VILAI VIRICODE, NALLOR, KANNIYAKUMARI, TAMIL NADU., PIN - 629165**
- 7. IACOM FOODS PVT. LTD. A COMPANY REGISTERED UNDER THE INDIAN COMPANIES ACT, HAVING ITS OFFICE AT 6-37 A-1, GNARODE, KURUTHENCODE, KALAKULAM, KANNIYAKUMARI, TAMIL NADU. REPRESENTED BY ITS MANAGER MR. VISHNU V., PIN - 629802**
- 8. GEORGIAN FOOD PRODUCTS PVT. LTD. A COMPANY REGISTERED UNDER THE INDIAN COMPANIES ACT, HAVING ITS OFFICE AT BUILDING NO. 2/694, ST. NICHOLAS CASHEW EXPORTS, NALLILA P.O., KOLLAM, KERALA REPRESENTED BY ITS DIRECTOR MR. Y. RAJAN , PIN - 691515.**



9. SANS CASHEW INDIA PRIVATE LIMITED A COMPANY REGISTERED UNDER THE COMPANIES ACT, HAVING ITS OFFICE AT PP/17/133, PAVITHRESWARAM PO PUTHOOR KOLLAM, KERALA. REPRESENTED BY ITS MANAGING DIRECTOR MRS. PRAVEENA V.P., PIN - 691507.
10. STATE OF KERALA REPRESENTED BY ITS SPECIAL SECRETARY, ENVIRONMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM., PIN - 695001.
11. ALL PERSONS CLAIMING OR BEING ENTITLED TO CLAIM DAMAGES ALL PERSONS CLAIMING OR BEING ENTITLED TO CLAIM DAMAGES BY REASON OF OR ARISING OUT OF LOSS/DAMAGE TO CARGO CARRIED ON BOARDS THE VESSEL MC ELSA 3 (IMO 9123221) FROM VIZHINJAM TO KOCHI IN MAY 2025.

Application praying that in the circumstances stated in the affidavit filed therewith the High Court be pleased to permit and implead All Kerala Fishing Boat Operators Association as the Addl. Defendant in the above case, in the interest of justice, otherwise irreparable injury would be caused to the Applicant and Fishermen Community and Boat Owners Community at large.

This Application coming on for orders upon perusing the application and the affidavit filed in support thereof, and upon hearing the arguments of SRI. V.J.MATHEW (SR.)(M-154), M/S. MERLINE MATHEW, VIPIN P.VARGHESE(K/415/2007), ADARSH MATHEW(K/979-A/2015), ANIRUDH G. KAMATH(K/001753/2023), AGUSTHO NORBERT(K/004140/2023), MEGHA MADHAVAN(K/1671/2024), Advocates for the Applicants and Advs. M/S. PRANOY K.KOTTARAM, SIVARAMAN P.L, ATHUL BABU, SREENAND UDAYAN, FOR R1 TO R3, JOY THATTIL ITTOOP, BIJISH B.TOM(K/000376/2001), UTHARA A.S(K/514/2019), KRISHNA KUMAR T.K.(MAH/2259/2023), BABY SONIA(K/001188/2002), KARUN MAHESH(K/725/2021), MEGHA JOSEPH(K/2783/2022), NEVIS CASSANDRA L CAXTON LORETTA(K/541-F/2006), GOVIND VIJAYAKUMARAN NAIR(K/375/2016), ROSHNI MANUEL(K/1198/2010), JACOB TOMLIN VARGHESE(K/457/2006), FOR R4 TO R9, SMT. PARVATHY KOTTOL, GOVERNMENT PLEADER FOR R10, the court passed the following:



**I.A Nos.5, 8 to 12, 14 to 33, 35 to 41, 43 to 56 of 2025**  
**in**  
**Adml.S.No.14 of 2025**

2025:IO:KER:28

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**M.A.ABDUL HAKHIM, J.**

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**I.A Nos.5, 8 to 12, 14 to 33, 35 to 41, 43 to 56 of 2025**  
**in**  
**Adml.S.No.14 of 2025**  
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**Dated this the 10<sup>th</sup> day of November, 2025**

**ORDER**

1. The captioned 47 Applications are filed by third parties to the suit seeking their impleadment as additional Defendants in the Suit. All the Applications are opposed by the Plaintiffs by filing Counter Affidavits.
2. The suit is filed by the Plaintiffs, who are three in number, under Part XA of the Merchant Shipping Act, 1958, for the constitution of a limitation fund under Section 352B of the Merchant Shipping Act, 1958, for the purpose of limiting their liability arising out of all the claims on account of the sinking of the vessel MSC ELSA 3 on 25.05.2025 at 14.6 NM away from Kerala coast during its voyage from Vizhinjam to Cochin and on account of the incidents connected therewith.



3. The Plaintiffs claim that the Plaintiff No.1 is the owner, the Plaintiff No.2 is the Bareboat Charterer and the Plaintiff No.3 is the Time Charter & Operator of the Vessel MSC ELSA 3. The Suit was filed against the Defendant Nos.1 to 8 on the party array. The Defendant Nos.1 to 6 are persons/entities who filed the Admiralty Suits claiming compensation on account of their loss of cargo on board as a result of the sinking of the vessel MSC ELSA 3. The Defendant No.7 is the State of Kerala, which also filed Adml.S. No.12 of 2025, claiming compensation from the Plaintiff No.3 for the damage caused to the environment, coastline, or related interests of the State, the cost of the measures taken to prevent, minimise or remove the damage to the environment, coastline, or related interests in the State and the cost of the measures for restoration of the environment, economic loss caused to the fishermen of the State of Kerala etc., due to the sinking of the vessel MSC ELSA 3. The Defendant No.8 is shown as "All persons claiming or being entitled to claim



damages by reason of/or arising out of loss/damage to Cargo on Boards the vessel MSC ELSA 3 from Vizhinjam to Kochi in May 2025”.

4. I.A. Nos.27, 38, 41, 50 of 2025 are filed by owners of Cargo on board in the sunken vessel MSC ELSA 3, which is the subject matter of the above suit. I.A. Nos.12, 14 & 43 of 2025 are filed by Insurance Companies with whom the Cargo Owners in MSC ELSA 3 had contract of insurance, alleging that they have settled the claims of the cargo owners, and hence, they are entitled to claim the same from the owner of the vessel under the principle of subrogation. I.A. Nos.9, 11, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 35, 36, 37, 39, 40, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, and 56 of 2025 are filed by fishermen and boat owners alleging that they have suffered damage to their boats, fishing equipments, etc., on account of the debris of the cargo floating in the sea and loss of livelihood due to inability to undertake fishing and to operate fishing vessels for long periods and that they have claims in respect of the same. I.A. Nos. 5,



10, and 16 of 2025 are filed by Associations of boat owners and fishermen alleging that they are entitled to protect the interests of their members in the matter of the constitution of the limitation fund. I.A. No.8 of 2025 is filed by an individual fisherman, who does not disclose any claim. He wants to espouse the interests of the fishermen in general.

5. The Plaintiffs filed I.A. No.3/2025 to take out Newspaper Publication in the suit. The said I.A. was allowed as per the Order dated 21.08.2025. Pursuant to the said Order, the Suit Notice dated 23.08.2025 was published in all editions of the Malayala Manorama Daily, the Bombay and Cochin editions of the Times of India Daily, and the Trade Winds. It is thereafter that the captioned Applications for impleading are filed by third parties seeking their impleadment in the Suit as additional Defendants.



6. I heard Adv. Sri. Hari Narayanan, who appeared for the Applicants in I.A. Nos.12, 14, 27, 38, 41, 43 & 50 of 2025, Adv. Sri. P. Chandrasekhar, who appeared for the Applicants in I.A. No.21/2025 and Adv. Sri. Shoby K. Francis, who appeared for the Applicants in I.A. Nos.11, 19, 20, 39, 40, 44 & 55 of 2025, Adv. Sri. J.R. Prem Navas, who appeared for the Applicants in I.A. Nos.51 & 52 of 2025, Adv. Sri. Sarin, who appeared for the Applicants in I.A. Nos.26 & 31 of 2025, Adv. Smt. Ummul Fida, who appeared for the Applicants in I.A. Nos.53 & 56 of 2025, Adv. Smt. Merlin Mathew, who appeared for the Applicants in I.A. Nos.5, 10, 17, 18, 22, 24, 25, 28, 29, 30, 32, 33, 35, 36, 37, 45, 46, 47, 48 & 49 of 2025 and the learned Senior Counsel for the Respondents/Plaintiffs in all these Applications by Sri. Pasant S. Prathap instructed by Adv. Smt. Naira Jeejeebhoy and Adv. Sri. Pranoy K. Kottaram.

7. The learned Counsel for the Applicants contended that the Applicants are entitled to get themselves impleaded



in the suit since they are directly affected by the sinking of the vessel MSC ELSA 3 belonging to the Plaintiffs and they have claims. The present suit for constituting the limitation fund is not maintainable. The Applicants are entitled to object to the prayers in the suit and in the Interlocutory Applications, including the maintainability of the suit. Even assuming that the suit is maintainable if the limitation fund is constituted without taking into account the claims of the Applicants, the Applicants will be put to irreparable loss and injury. Since newspaper publication is made in the suit, the suit is in the nature of a representative suit instituted under Order I Rule 8 of the Code of Civil Procedure, 1908. Anybody having an interest in the subject matter of the suit is entitled to get himself impleaded in the suit. The learned counsel invited my attention to the Newspaper Publication inviting all persons having claims for damages or compensation out of the incident involving the vessel MSC ELSA 3 to appear either directly or through a Pleader before this



Court on the appointed day. The Defendant No.8 is named as all persons claiming or being entitled to claim damages. In such a case, when an interested person comes before this Court to get himself impleaded in the suit pursuant to the publication made by the Plaintiffs, the Plaintiffs have no right to object to his impleadment in the suit.

8. On the other hand, the learned Senior Counsel for the Plaintiffs submitted that the Plaintiffs are *dominus litis*. Only the necessary and proper parties alone can be joined in the suit. Persons having maritime claims arising out of the incident alone are to be impleaded. Only those Applicants who have already filed suits claiming compensation alone could be said to be aggrieved by the constitution of the limitation fund. The constitution of the limitation fund is a statutory right available to the shipowner, and the amount of the limitation fund is not dependent upon the magnitude of the claims. It is the money value of the Special Drawing Rights (SDR) based



on the tonnage of the vessel. Nobody can have any objection to the determination of the limitation fund based on the Convention. Even with respect to the Applicants who have already instituted the suits, they can have objection only when the Plaintiffs file an Application for the release of the arrested vessel or release of security under Section 352D. They can only contend that the limitation fund is not applicable to their claims. Otherwise, they are entitled to claim from the limitation fund only after obtaining a decree in their suits.

9. I have considered the rival contentions.

10.The Plaintiffs have filed the suit for constituting a limitation fund invoking the provisions under Part XA of the Merchant Shipping Act, 1958, for limiting their liability with respect to the claims for the loss and damage on account of the sinking of the vessel MSC ELSA 3. The vessel sank on 25.05.2025 at 14.6 NM from the Kerala coast. Thereafter, several admiralty suits were filed in this



Court by the Cargo Owners, Boat Owners and State of Kerala, claiming compensation for their loss and damage due to the sinking of the vessel MSC ELSA 3. In all the suits, the arrest of the sister vessel was made, and the Defendants therein furnished security by producing Demand Drafts for the plaint claims in this Court for the release of the arrested vessel in the suits except in Admiralty Suit No.12/2025 filed by the State of Kerala. In Admiralty Suit No.12/2025, the sister vessel is still continuing under arrest. The Admiralty Suits filed by the Defendants 1 to 7 are Adml. Suit Nos.4, 5, 6, 7, 8, 10 & 12 of 2025, respectively. Except, Adml. Suit No.12/2025 filed by the State, Adml. Suit Nos.4, 5, 6, 7, 8 & 10 of 2025 are filed by the owners of cargo on board the vessel MSC ELSA 3, who lost the same due to the sinking of the vessel. Subsequently, Applicants in I.A. Nos.17, 18, 22, 24, 25, 28, 29, 30, 32, 33, 35, 36, 37, 45, 46, 47, 48 & 49 of 2025 also filed Adml. Suit Nos.19, 21, 33, 25, 20, 36,



37, 34, 35, 24, 23, 15, 22, 16, 30, 31, 17 & 18 of 2025, respectively.

11.The purpose of the present suit is for the constitution of the limitation fund to limit the liability of the Plaintiffs to the limitation fund to be determined by this Court as against all the claims arising from the sinking of the vessel MSC ELSA 3 and incidents connected therewith.

12.The concept of limited liability of the shipowner evolved in the interest of the shipping industry in particular and in the interest of international trade in general.

13.In ***World Tanker Carrier Corporation v. SNP Shipping Services Pvt. Ltd. [1998 (5) SCC 310]***, the Hon'ble Supreme Court quoted from Page No.154 of the book by Baer "Admiralty Law of the Supreme Court" to trace the historic origins of limitation of liability as follows.

" '[M]en would be deterred from employing ships, if they lay under the perpetual fear of being answerable for the acts of their masters to an unlimited extent.' Thus wrote the renowned Dutch jurist,



Hugo Grotius, in 1625. To impose liability on shipowners for acts of their masters would be 'neither consonant to natural equity ..... nor ..... conducive to the public good.' Referring to the law of his own nation, Grotius continued, '[I]t is an established rule that no action can be maintained against the owner for any greater sum than the value of the ship and cargo.' Although by no means uniform, some sort of rule of limited liability on the part of the shipowner has been the law of the leading maritime nations of continental Europe since the middle ages ....."

14. If the shipowners are made answerable to unlimited and exorbitant claims arising out of maritime accidents, everybody would be reluctant to employ ships, which would be detrimental to international trade. This led to the passing of an International Convention relating to the limitation of liability of sea-going vessels in the year 1924 which is popularly known as the Brussels Convention of 1924. It was replaced by another International Convention in the year 1957 which is popularly known as the Brussels Limitation Convention of



1957. The said Convention came into force in the year 1968. India also adopted the said Convention. The Brussels Limitation Convention of 1957 limits the liability of the shipowner on the basis of the tonnage of the vessel. Part XA was inserted into the Merchant Shipping Act, 1958, by the Merchant Shipping (Amendment) Act, 1970, in order to incorporate the provisions of the Brussels Limitation Convention of 1957. The Brussels Limitation Convention of 1957 was replaced by the Convention on Limitation of Liability for Maritime Claims, 1976. Now the Convention applicable to Part XA is the Convention on Limitation of Liability for Maritime Claims, 1976. Part XA, as it stands now, is having Sections 352 & 352A to 352FA. As per Section 352A, the shipowner is entitled to limit the liability with respect to the claims listed therein. Section 352B deals with the manner of determination of the amount of limitation fund which provides that it shall be in accordance with the provisions of the Convention and in cases where the provisions of the Convention are not applicable, the limit shall be in accordance with the rules in



this behalf prescribe. Section 352C provides for the Application for the constitution of the limitation fund to the High Court, determination of the amount of the limitation fund, consolidation of the claims, and distribution of the fund among the claimants.

15.The main contention of the learned Senior Counsel for the respondents/Plaintiffs is that most of the Applicants are not entitled to get impleadment, as they have not filed any suit raising their claim. It is pertinent to notice that the limitation period for filing claims against the Plaintiffs herein is not over. Those Applicants in these Applications who have not filed suits still have time to file their claims. Subsection (1) of Section 352C enables the shipowner to apply to the High Court for the constitution of a limitation fund when liability is alleged to have been incurred by him in respect of the claims under Section 352A and legal proceedings are instituted with respect to the claims. As per Subsection (2) of Section 352C, in such an Application, the High Court has to determine the amount of the owner's liability and direct the deposit of such amount or an



acceptable guarantee or bank guarantee, and the said amount/guarantee shall constitute the limitation fund for the claims, and it shall be utilised for the same. Subsection (3) of Section 352C provides that after constitution of the limitation fund, no person who is entitled to claim against the fund shall be entitled to exercise any right against any other assets of the owner in respect of his claim against the fund, if that fund is actually available for the benefit of the claimant. It would indicate that after the constitution of the limitation fund, the claimants having the claims listed under Section 352A can claim only from the fund and not from any other asset of the owner. It prevents the filing of further admiralty suits by such claimants against the shipowner. Subsection (4) of Section 352C provides that the High Court may distribute the limitation fund rateably amongst the several claimants and may stay any proceedings pending in any other court in relation to the same matter and may proceed in such manner and subject to the applicable rules as to making persons interested parties to the proceedings, and as to the exclusion of any claims which do



not come in within a certain time. On going through Subsections (1) to (4) of Section 352C, I am of the view that it is a complete code for the constitution of the limitation fund, consolidation of the claims, and distribution of the limitation fund rateably among claimants. Section 352C does not refer to any suit. Subsection (1) of Section 352C provides that the shipowner may apply to the High Court. Section 352C does not say that the claimants have to file suits and establish their claims to claim from the limitation fund. In fact, after the constitution of the limitation fund, future suits are barred with respect to the claims coming under Section 352B and the High Court may stay any proceeding pending in any other Court in relation to the same matter. The term 'any proceeding' would include suit also. The provision does not provide for staying suits pending in the same Court. It may infer that this Court can proceed with the suits already filed by the claimants. Then a question arises whether such suits are to be tried independently of the proceedings under Section 352C. Section 352C provides for the consolidation of the claims.



Subsection (4) of Section 352C provides for making persons interested parties to the proceedings. It provides for exclusion of any claim which do not come within a certain time. The provision for exclusion of claims which do not come within a certain time reaffirms the permissibility of raising the claims in the proceedings under Section 352C itself. A conjoint reading of Subsections (4) and (5) makes it abundantly clear that after the constitution of the fund, the claimants cannot institute separate proceedings for making their claim, and the claimants have to make the claims in the proceedings under Section 352C itself. The claimants can very well join the proceedings under Section 352C as persons interested.

16. The scheme of Section 352C is to consolidate the claims in a single proceeding by constituting a single fund and to satisfy all the claims rateably among the claimants in that proceeding itself. The proceedings under Section 352C is akin to the liquidation proceedings of a joint stock company under the Companies Act, consolidating all the claims against the company in the liquidation proceedings, transferring the



pending proceedings into it, and permitting claims before it for rateable distribution of the realised assets among the claimants. The object of consolidation in a single proceeding can be achieved only if the claims in the pending suits are transferred to the proceedings under Section 352C, even if there is no specific statutory provision for the same. The transfer of the claims in the pending suits to the proceedings under Section 352C and the consolidation of the same along with the claims raised in the proceedings under Section 352C are implicit in the said provision.

17.The Applicants in these Applications who have claims listed under Section 352A against the respondents/Plaintiffs are 'persons interested' within the meaning of Subsection (4) of Section 352C and they are liable to be made parties to the present proceedings under Section 352C. Only the persons who are entitled to claim compensation from the limitation fund alone could be said to be affected by the constitution of the said fund and they alone are entitled to contest the proceedings.



18.I.A. Nos.17, 18, 22, 24, 25, 28, 29, 30, 32, 33, 35, 36, 37, 45, 46, 47, 48 and 49 of 2025 are filed by persons who have already filed Admiralty Suits with respect to the claims, and hence, they are liable to be impleaded as they would be aggrieved by the constitution of the limitation fund since their claim would be limited to the rateable distribution from the limitation fund. They can question the maintainability of the suit also.

19. The contention of the learned Senior Counsel for the Respondents/Plaintiffs is that other Applicants have not laid their claim by filing suits, and hence, they cannot claim their impleadment. Merely because they have not brought the suits before the present proceedings under Section 352C, it could not be said that they should not be impleaded. If the Application discloses a claim against the Plaintiffs herein on account of the sinking of the vessel MSC ELSA 3, they are entitled to get themselves impleaded in the present proceedings under Section 352C.



20.I.A. Nos.27, 38, 41, 50 of 2025 filed by owners of Cargo Owners and I.A. Nos.12, 14 & 43 of 2025 filed by Insurance Companies state their claims, and hence these Applications are to be allowed.

21.The Applicants in I.A. Nos.9, 11, 15, 19, 20, 21, 23, 26, 31, 39, 40, 44, 51, 52, 53, 54, 55 & 56 of 2025 have stated that they have claims and hence those applications are liable to be allowed. They still have limitation period to raise their claims by submitting proper pleadings.

22.I.A. Nos. 5, 10 and 16 of 2025 are filed by Associations of boat owners and fishermen stating that they are interested in the subject matter of the suit as it would affect the interests of their members. The Associations of Boat owners and fishermen have not disclosed any claim. They cannot have any claim out of the limitation fund. They are not persons interested within the meaning of Subsection (4) of Section 352C, and hence, I.A. Nos.5, 10 and 16 of 2025 are liable to be dismissed.



23.I.A. No.8 of 2025 is filed by an individual fisherman, who does not state any claim, and hence, I.A. No.8 of 2025 is liable to be dismissed.

24.Since these Applications for impleadment are to be decided with reference to the term 'persons interested' contained in Subsection 4 of Section 352C, there is no need to consider whether the Applicants are necessary or proper parties under Order I Rule 10(2) of the Code of Civil Procedure.

25.In view of the aforesaid findings, all the captioned Interlocutory Applications for impleadment, except I.A. Nos.5, 8, 10 & 16 of 2025, are allowed. Registry is directed to carry out amendment in the cause title of the above suit, incorporating the additional Defendants allowed to be impleaded, giving priority according to the number of the Applications.

sd/-

**M.A.ABDUL HAKHIM**

**JUDGE**

Shg/