

Ref: ML/SGX/2019-20/65

February 11, 2020

To,
The Singapore Exchange Securities Trading limited
2, Shenton Way,
#19-00, SGX Centre 1,
Singapore – 068804

Dear Sir/Madam,

**SUBJECT: UPDATE ON EXECUTION OF ARBITRAL AWARD AGAINST DREDGING
CORPORATION OF INDIA (DCI) IN SETHUSAMUDRAM BATCH MATTERS**

Mercator Limited would like to provide an update regarding steps taken by the Company in connection with three (3) Foreign Arbitration Awards dated March 15 2018 (Awards) wherein the arbitral tribunal had directed Dredging Corporation of India Limited (DCI) to pay approx. INR 50 crores to the Company.

After dismissal of appeals filed by DCI in the High Court of Justice Business and Property Courts of England and Wales Commercial Court (QBD) and also in Delhi High Court, the Company filed 3 (three) Execution Petitions seeking execution/enforcement of the Awards. Delhi High Court vide order dated 9th April 2019 granted interim injunction against DCI directed “*DCI i.e. judgement debtor will not deal with and/or create third party interest in the immovable property described as Core: 2, 1st Floor, “Scope Minar” Plot No. 2A & 2 B, Laxminagar District Centre, Delhi – 110092. The injunction will also operate vis-à-vis furniture, fixtures, office, equipments and all movables and other assets lying in the aforementioned property.*”

Further, the Delhi High Court had vide its order dated 31st October 2019 directed DCI to deposit entire award amount along with up to date interest with the Registrar General of the Court within 6 weeks. DCI failed to comply with the said directions and filed application seeking dispensation of the directions vide order dated 31st October 2019 on premise that *DCI do not have sufficient funds to satisfy the awards which*



MERCATOR LIMITED
(CIN : L63090MH1983PLC031418)

the Company objected, and Delhi High Court vide order dated 23rd January 2020 not only directed DCI to file affidavits of its assets along with particulars of their bank accounts but also attached all the assets including the bank accounts to the tune of decretal/award amount. However, this order was kept in abeyance for 15 days to enable DCI to place on record the particulars of all their bank accounts and schedule/proposal to deposit award amount.

On 6th February 2020, DCI filed an application to grant dispensation from depositing decretal amounts along with up to date interest and to vary order dated 23rd January 2020 to the extent that “the attachment of the accounts of DCI be released as the same would cause irreparable loss and DCI would not be able to conduct day to day operations and pay the salaries of its employees” and sought urgent listing of this application on 10th February 2020.

On 10th February 2020, when the matter was listed, the Company opposed the above application. However, in view of the submissions made for payment of salaries to DCI employees, the Delhi High Court deferred its order of attachment by 14 (fourteen) days, but directed DCI to file Affidavit disclosing details of its assets with specific emphasis on the status of its encumbrances and to provide a schedule for payment of decretal sums awarded under the Awards within 10 days. Matter is posted on 24th February 2020.

The company will keep its stakeholders informed of any further update in the matter.

Thanking you,

Yours faithfully,

For Mercator Limited



Rajendra Kothari

CFO & Compliance Officer

