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LEGAL OPINION

Bankruptcy for maritime claims

In a dispute over unpaid hire, the claiming party filed for bankruptcy of the debtor. The bankruptcy application was filed with the Maritime Disputes Department of Piraeus Courts. The debtor challenged the competency of the court, alleging the application should have been filed with the bankruptcy department. The court considered the case and, in order to opine on the bankruptcy application, it should examine the claim against the debtor; given that the latter was a maritime one, the application was considered as having lawfully been filed with the Maritime Disputes Department of the Court.

Supreme Court Judgement no 1357/2019, Presiding: A. Thoma, Rapporteur Judge: A. Thoma, Attorneys at law: D. Markou, K. Papaspyrou, N. Agapitidis, Chr. Stefanis, K. Tassiopoulos, Maritime Law Review vol. 47, p. 169.

NOTE: The maritime nature of a case, even if this is a side issue, appears to be crucial in defining Court / Department where a case should be submitted.

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