

CHAMBER HEARING
Wednesday 5th August, 2009

BEFORE

The Hon. Mde. Janice George-Creque, Justice of Appeal

SAINT LUCIA

Case Name

Jada Construction Caribbean Ltd. v The Landing Ltd.
[Civil Appeal No. 11 of 2009]

Appearances:

**Applicant/
Respondent:**

Ms. Natalie Augustin

**Respondent/
Appellant:**

Mr. Peter Foster with Ms. Diana Thomas

Issue:

Application to correct order pursuant to r. 42.10 of the Civil Procedure Rules 2000

Result and Reason:

1. Based on the fact that, Block 1257B Parcel 182/v/67, 182/v/66 and 182/v/63 are encumbered by a mortgage in excess of EC\$60,000,000.00, the Court does not consider that these properties suffice for according to them a value of US\$2,000,000.00 taking into account that the said properties are said to be valued at US\$3,000,000.00. This would not be in keeping with the order of Cottle J. for the identification and retention of property to the value of at least US\$2,000,000.00, in respect of the guarantee to be given by The Landing in respect of their undertaking. Accordingly, the inhibitions as against the said properties shall be removed.
2. It is ordered that the restrictions placed upon Block 1257B, Parcels 182/v/15 and 182/v/42 shall remain in place and the restrictions placed upon Parcel 182/v/32 shall be removed.