

IN THE EASTERN CARIBBEAN SUPREME COURT
IN THE COURT OF APPEAL

TERRITORY OF THE VIRGIN ISLANDS

BVIHCMAP2018/0021-0038

IN THE MATTERS OF ELIZA LIMITED (IN LIQUIDATION)
GLENALLA PROPERTIES LIMITED (IN LIQUIDATION),
ROXINDA LIMITED (IN LIQUIDATION), THORSON
INVESTMENTS LIMITED (IN LIQUIDATION), VIOLET
CAPITAL GROUP LIMITED (IN LIQUIDATION),
OSCATELLO INVESTMENTS LIMITED (IN
LIQUIDATION), ALZAMA PROPERTIES LIMITED (IN
LIQUIDATION), BRIGETTA INVESTMENTS LIMITED (IN
LIQUIDATION), TAZAMIA LIMITED (IN LIQUIDATION),
SEACOURT LIMITED (IN LIQUIDATION), SAFINA
LIMITED (IN LIQUIDATION)

AND IN THE MATTER OF RULE 3.14(1)(d) OF THE CIVIL
PROCEDURE RULES OF THE EASTERN CARIBBEAN
SUPREME COURT 2000, (AS AMENDED)

BETWEEN:

ROBERT TCHENGUIZ

Applicant/Respondent

and

- [1] MARK MCDONALD (in his capacity as Joint Liquidator)
- [2] STEPHEN JOHN AKERS (in his capacity as Joint Liquidator)
- [3] ELIZA LIMITED (IN LIQUIDATION)
- [4] GLENALLA PROPERTIES LIMITED (IN LIQUIDATION)
- [5] ROXINDA LIMITED (IN LIQUIDATION)
- [6] THORSON INVESTMENTS LIMITED (IN LIQUIDATION)
- [7] VIOLET CAPITAL GROUP LIMITED (IN LIQUIDATION)
- [8] OSCATELLO INVESTMENTS LIMITED (IN LIQUIDATION)
- [9] ALZAMA PROPERTIES LIMITED (IN LIQUIDATION)
- [10] BRIGETTA INVESTMENTS LIMITED (IN LIQUIDATION)
- [11] TAZAMIA LIMITED (IN LIQUIDATION)
- [12] SEACOURT LIMITED (IN LIQUIDATION)
- [13] SAFINA LIMITED (IN LIQUIDATION)
- [14] VINCENT AZIZ TCHENGUIZ

- [15] RAWLINSON & HUNTER TRUSTEES S.A (in its capacity as Trustee
of the Tchenguiz Family Trust)
[16] WILLIAM PROCTER
[17] BPAR LIMITED
[18] EURO INVESTMENTS OVERSEAS INC
[19] ALTRACIA LIMITED
[20] BALVINO LIMITED
[21] BEAUCETTE INTERNATIONAL LIMITED
[22] BRIGADIER HOLDINGS LIMITED
[23] CHARLENA ENTERPRISES LIMITED
[24] CLEOBURY LIMITED
[25] DEGANO LIMITED
[26] FRANKELLA LIMITED
[27] GOLDEN MIST LIMITED
[28] GOLDWAY SERVICES LIMITED
[29] KALIO LIMITED
[30] OMATOLA INVESTMENTS LIMITED
[31] PIRATINE LIMITED
[32] PRAKARA LIMITED
[33] VALLEYMIST INVESTMENTS LIMITED

Respondents/Appellants

Before:

The Hon. Mde. Louise Esther Blenman
The Hon. Mr. Anthony Gonzalves, QC
The Hon. Mr. Eamon H. Courtenay, SC

Justice of Appeal
Justice of Appeal [Ag.]
Justice of Appeal [Ag.]

Appearances:

Mr. Richard Wilson, QC, with him, Mr. Mo Haque, QC for appellants
Mr. Terence Mowschenson, QC, with him, Mr. Stuart Cullen for the respondent
Mr. Ben Mays for the Liquidators

2018: July 12;
September 11.

JUDGMENT

- [1] **COURTENAY JA [AG.]:** The Court has been informed that its decision in this appeal is relevant to litigation on foot in London which is set for trial in October

2018. The Bench has been requested to deliver its judgment soonest, with reasons to follow. We do so now.

ORDER

[2] The Court makes the following order:

1. The appeal is dismissed.
2. The Respondent is entitled, pursuant to CPR 3.14(a), to inspect and take copies of the Originating Application and affidavits of Mr. Vincent Tchenguiz dated 6th April 2017 and Mr. Rodney Hodges dated 13th April 2017 and the exhibits thereto and any draft orders filed therewith.
3. Full reasons for dismissing the appeal will be made available shortly.
4. The Respondent is to have his costs.

I concur.
Louise Esther Blenman
Justice of Appeal

I concur.
Anthony Gonzalves, QC
Justice of Appeal [Ag.]

By the Court

Chief Registrar