

SAINT VINCENT AND THE GRENADINES

IN THE HIGH COURT OF JUSTICE

CIVIL SUIT NO. 490 OF 2001

BETWEEN:

NATIONAL COMMERCIAL BANK LTD

Claimant

and

CUTHBERT SAMUEL ET AL

Defendants

Appearances:

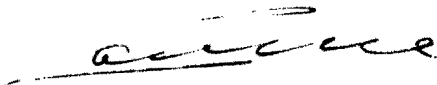
Mr. Samuel Commissiong for Claimant

Mr. Stanley K. John for Defendants

2002: September 23

JUDGMENT

- [1] **ALLEYNE, J:** I believe the witnesses for the Claimant, and reject the evidence of Jaimason Samuel that he was at a standstill at the time of the collision. This is clear from the evidence that the claimant's vehicle was damaged on the right front and rear doors. It is clear to me that the Claimant's vehicle had entered fully into Middle Street, and I accept that the defendant's vehicle reversed into the right side of the Claimant's vehicle. The fact that the driver Jaimason Samuel did not see the Claimant's vehicle although it was clearly in the path in which he was travelling leaves no doubt in my mind that he was negligent.
- [2] Judgment for the claimant for damages to be assessed and for costs.


.....
Brian Alleyne
HIGH COURT JUDGE