

EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL SITTING

CHAMBER HEARING
Tuesday, 24th June 2025

MATTERS DEALT WITH ON PAPER

Case Name:

Denison George

v

Nigel Dominic Stewart

**[GDAHCVAP2025/0004]
(Grenada)**

Date:

Tuesday, 24th June 2025

Before:

**The Hon. Mr. Gerard St. C Farara, Justice of
Appeal [Ag.]**

On paper:

Applicant:

Sandina Date

Respondent:

Nigel Stewart

Issues:

**Application for stay of execution and stay of
proceedings pending appeal**

Result/ Order:

IT IS HEREBY ORDERED THAT:

- 1. The judgment of Actie J dated 17th January
2025 is stayed.**

2. All proceedings in the court below pending the hearing and determination of the appeal are stayed.

3. No order as to costs.

Reason:

The Court noted that the respondent failed to comply with the Order of the Court dated 29th April 2025 directing him to file a response to the application for a stay on or before 27th May 2025. The Court, upon considering the principles governing the grant of a stay of execution elucidated in *C-Mobile Services Ltd. v Huawei Technologies Co. Ltd.* BVIHCMAP2014/0017 (delivered 2nd October 2014, unreported), was satisfied that the applicant met the threshold for the grant of a stay.

Case Name:

Massy Properties (Trinidad) Ltd.

v

Norab Mansour

**[GDAHCVAP2025/0008]
(Grenada)**

Date:

Tuesday, 24th June 2025

Before:

The Hon. Mr. Gerard St. C Farara, Justice of Appeal [Ag.]

On paper:

Applicant:

Melissa Modeste-Singh

Respondent:

Anselm Clouden

Issues:

Application for stay of execution pending appeal

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

The application for a stay of execution filed by the applicant on 28th March 2025 is refused.

Reason:

The Court considered the principles governing the grant of a stay of execution elucidated in C-Mobile Services Ltd. v Huawei Technologies Co. Ltd. BVIHCMAP2014/0017 (delivered 2nd October 2014, unreported). Upon noting that cogent evidence is required to demonstrate that the appeal will be stifled or rendered nugatory unless a stay is granted, the Court was of the view that the applicant failed to produce such cogent evidence and, accordingly, the application for a stay of execution was refused.

Case Name:

Inebo Hendrickson

v

The Director of Public Prosecutions

[SKBHCRAP2019/0007]

(Saint Christopher and Nevis)

Date:

Tuesday, 24th June 2025

Before:

The Hon. Mr. Gerard St. C Farara, Justice of Appeal [Ag.]

On paper:

Applicant:

In Person

Respondent:

Office of the Director of Public Prosecutions

Issues:

Application for legal aid

**Result /
Order:**

IT IS HEREBY ORDERED THAT:

- 1. The application for legal aid is granted.**
- 2. The applicant be assigned counsel from the legal aid roster of legal practitioners kept by the Registrar of the High Court and selected by the Registrar of the High Court to assist the appellant in the conduct of the appeal.**
- 3. The Registrar of the High Court shall furnish counsel selected from the roster, with the Record of Appeal.**

Reason:

The Court considered that a judge of the Court is empowered under section 55 and section 60(c) of the Eastern Caribbean Supreme Court (Saint Christopher and Nevis) Act Cap. 3.11 of the Laws of Saint Christopher and Nevis to assign legal aid to an appellant and was of the view that the appellant is indeed impecunious and therefore unable to meet the cost of prosecuting his appeal.

The Court was ultimately of the view that it is in the interests of justice that the applicant be allowed to prosecute his appeal and thus be granted legal aid.