

**EASTERN CARIBBEAN SUPREME COURT
COURT OF APPEAL**

CHAMBER HEARING

26th September 2023

MATTERS DEALT WITH ON PAPER

Before: The Hon. Mde. Gertel Thom, Justice of Appeal

Case Name: Jason Benjamin

v

Cindy Gordon

**[ANUMCVAP2023/0005]
Antigua and Barbuda**

Date: Tuesday, 26th September 2023

On paper:

Applicant: In person

Respondent: No appearance

Issues: Application for extension of time within which to appeal

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The court office in Antigua and Barbuda shall cause a copy of this order and the order of the Court dated 20th July 2023 to be served personally on the applicant, the respondent and the Acting Chief Magistrate within 7 days of the date of this order and provide proof of service thereafter.
2. The applicant shall take the necessary steps to ensure compliance with the order dated 20th

July 2023 within 14 days of receipt of this order.

3. The Acting Chief Magistrate shall provide a copy of the decision of the magistrate which the appellant seeks leave to appeal to the Chief Registrar within 14 days of the date of this order.
4. The application for an extension of time is adjourned for further consideration at the next Chamber Sitting of this Court scheduled for 31st October 2023.

Reason:

The Court noted that the order of the Court dated 20th July 2023 had not been complied with and that there was no evidence of personal service of the order on the parties and on the Acting Chief Magistrate.

Case Name:

Antigua Masonry Products Ltd.

v

Norriston Matthews

[ANUHLTAP2022/0006]

Antigua and Barbuda

Date:

Tuesday, 26th September 2023

On paper:

Applicant: Ms. Kema Benjamin

Respondent: No appearance

Issues:

Application seeking an order that the President of the Industrial Court be compelled to provide forthwith reasons for his order

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The notice of application filed on 11th July 2023 for an order that the President of the Industrial

Court be compelled to provide forthwith reasons for his order dated 4th April 2022, shall be set down for hearing before the Full Court at a date to be fixed by the Chief Registrar.

2. There is no order as to costs.

Reason: The Court was of the view that the application should be heard and determined by the Full Court.

Case Name: **Ronaldo Riley**
v
Geoffrey Letang
[DOMHCVAP2023/0010]
Commonwealth of Dominica

Date: Tuesday, 26th September 2023

On paper:

Applicant: Ms. Gina Dyer Munro

Respondent: No appearance

Issues: Application for leave to appeal

Result / Order: **IT IS HEREBY ORDERED THAT:**
1. The application for leave to appeal the order of Master Cybelle Cenac Dantes dated 14th June 2023 is granted.
2. The applicant shall file and serve a notice of appeal on the respondent within 21 days of the

date of this order.

3. The virtual hearing scheduled for 27th September 2023 before a single judge at 10:00am is vacated.

Reason:

Upon reviewing the matter further, the Court was of the view that the applicant had met the threshold for the grant of leave to appeal.

Case Name:

[1] Ramesh Armanani
[2] Mohan Armanani
(by his lawful son and interested party Mahesh Armanani)

v

AEA Company Limited

**[GDAHCVAP2023/0019]
Grenada**

Date:

Tuesday, 26th September 2023

On paper:

Applicants: Ms. Gennilyn Ettienne

Respondent: No appearance

Issues:

Application for leave to appeal – Application for an extension of time for leave to appeal – Relief from sanctions

Result / Order:

IT IS HEREBY ORDERED THAT:

1. Mahesh Armanani shall take the necessary

steps to ensure that the terms of the order dated 20th July 2023 are complied with on or before 24th October 2023.

2. Subject to the Mahesh Armanani's compliance with the order dated 20th July 2023 on or before 24th October 2023, the hearing of the amended notice of application for leave to appeal and the notice of application for extension of time for leave to appeal and relief from sanctions is adjourned until the next Chamber Hearing of the Court scheduled for 31st October 2023.

Reason: The Court noted that the order dated 20th July 2023 had not been complied with.

Case Name: Elvin Waltris

v
The King
[GDAHCRAP2022/0007]
Grenada

Date: Tuesday, 26th September 2023

On paper:

Applicant: In person

Respondent: Mr. Howard Pinnock - Senior Crown Counsel

Issues: Application for bail pending appeal

Result / Order: IT IS HEREBY ORDERED THAT:

- 1. The application for bail pending the hearing and determination of the appeal is adjourned to be heard virtually before a single judge on Tuesday 17th October 2023 at 9:00am.**
- 2. The Registrar of the High Court in Grenada shall be present virtually to attend the hearing.**

Reason:

The Court noted that there was no proof of compliance with the order of the Court dated 20th July 2023 by the Registrar of the High Court of Grenada.