

**IN THE COURT OF APPEAL OF THE
EASTERN CARIBBEAN SUPREME COURT
SAINT KITTS AND NEVIS**

TELECONFERENCE

COURT OF APPEAL SITTING

Wednesday 25th September 2019

APPLICATION AND APPEAL

Case Name:

**[1] The Nevis Island Administration
[2] The Director of Physical Planning**

Applicants

v

[1] Nevis Paradise Ltd.

Respondent

[2] Paradise Beach Holdings Limited

Intervening Party

[SKBHCVAP2019/0035]

Date:

Wednesday, 25th September 2019

Before:

The Hon. Mr. Davidson Kelvin Baptiste, Justice of Appeal

Appearances:

Applicants: Ms. Jean M. Dyer, Mrs. Rhonda Nisbett-Browne with Ms. Kimberly Hanley-Bello

Respondent: Mr. John Carrington QC with him Ms. Reisa Singh

**Intervening
Party:** Mr. Brian Barnes with him Ms. Michelle Slack

Issue:

Stay of Execution pending the determination of appeal

Type of Order: Consent Order

Result / Order: IT IS HEREBY ORDERED BY CONSENT THAT:

1. The interim stay of execution of the decision of Justice Ventose dated 7th August 2019, which was granted by consent on 23rd August 2019 is hereby continued until the sitting of the Court of Appeal in the Federation of St. Christopher & Nevis during the week of the 11th November 2019.
2. The applications for stay filed in Civil Appeal No. SKBHCVAP2019/0035 and Civil Appeal No. SKBHCVAP2019/0036 be fixed for hearing during the week of 11th November 2019.
3. The Applicants shall have carriage of this order.
4. The preparation of the transcript of the proceedings in the court below shall be expedited.

Case Name: Paradise Beach Holdings Limited
Applicant
v
Nevis Paradise Ltd.
Respondent

[SKBHCVAP2019/0036]

Date: Wednesday, 25th September 2019

Before: The Hon. Mr. Davidson Baptiste, Justice of Appeal

Appearances:

Applicant: Mr. Brian J Barnes, with him Ms. Michelle Slack

Respondent: Mr. John Carrington QC with him Ms. Reisa Singh

Issue: Stay of Execution pending the determination of appeal

Type of Order:

Decision

Result / Order:

IT IS HEREBY ORDERED THAT:

1. The interim stay of execution of the decision of Justice Ventose dated 7th August 2019, which was granted by consent on 23rd August 2019 is hereby continued until the sitting of the Court of Appeal in the Federation of St. Christopher & Nevis during the week of the 11th November 2019.
2. The applications for stay filed in Civil Appeal No. SKBHCVAP2019/0035 and Civil Appeal No. SKBHCVAP2019/0036 be fixed for hearing during the week of 11th November 2019.
3. The preparation of the transcript of the proceedings in the court below shall be expedited.