

CHAMBER HEARING
Wednesday 5th August, 2009

BEFORE

The Hon. Mde. Janice George-Creque, Justice of Appeal

SAINT LUCIA

Case Name

**Jada Construction Caribbean Ltd. v The Landing Ltd.
[Civil Appeal No. 11 of 2009]**

Appearances:

**Applicant/
Respondent:**

Ms. Natalie Augustin

**Respondent/
Appellant:**

Mr. Peter Foster with Ms. Diana Thomas

Issue:

Application to correct order pursuant to r. 42.10 of the Civil Procedure Rules 2000

Result and Reason:

- 1. Based on the fact that, Block 1257B Parcel 182/v/67, 182/v/66 and 182/v/63 are encumbered by a mortgage in excess of EC\$60,000,000.00, the Court does not consider that these properties suffice for according to them a value of US\$2,000,000.00 taking into account that the said properties are said to be valued at US\$3,000,000.00. This would not be in keeping with the order of Cottle J. for the identification and retention of property to the value of at least US\$2,000,000.00, in respect of the guarantee to be given by The Landing in respect of their undertaking. Accordingly, the inhibitions as against the said properties shall be removed.**
- 2. It is ordered that the restrictions placed upon Block 1257B, Parcels 182/v/15 and 182/v/42 shall remain in place and the restrictions placed upon Parcel 182/v/32 shall be removed.**