

CHAMBER HEARING
Wednesday, 10th October 2012

HEARING
(ST. LUCIA)

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

Case Name: Christian Brown
(representing the estate of Wayne Brown)
v
[1] Paul Limrick
[2] Theresa Limrick (nee Balkaran)

[High Court Civil Appeal No. 26 of 2012]

Appearances:

Applicant / Intended Appellant:	Mr. Eghan Modeste
Respondent:	Ms. Shan Greer

Issues: Application for leave to appeal – Application for stay of execution

Result / Order: [Oral delivery]

1. Leave to appeal the Master's decision dated 27th August 2012 on the following grounds is granted:
 - (i) 2.1
 - (ii) 2.2
 - (iii) 2.4
 - (iv) 2.8
 - (v) 2.9
 - (vi) 2.10
 - (vii) 2.11
2. The application to stay the execution of the decision of the Master is refused as no proper basis has been advanced for the grant of a stay. The applicant has not evinced a real risk of injustice.

3. There will be no order as to costs in as much as both parties have achieved some success in the case.

Reason:

The Court was of the view that the applicant showed a reasonable prospect of success on the aforementioned grounds. The Court, however, determined that there was no real risk of injustice hence the application for a stay was refused.