

TELECONFERENCE

TERRITORY OF THE VIRGIN ISLANDS

Wednesday, 27th June 2012

APPLICATIONS AND APPEALS

Case Name: [1] Cukurova Finance International Limited
[2] Cukurova Holding AS
v
Alfa Telecom Turkey Limited

[High Court Civil Appeal Nos. 18 and 24 of 2010]

Coram: The Hon. Sir Hugh A. Rawlins, Chief Justice
The Hon. Mde. Janice M. Pereira, Justice of Appeal
The Hon. Mr. Francis Cumberbatch, Justice of Appeal
[Ag.]

Appearances:

Applicant: Mr. Robert Levy, QC, with him, Mr. Oliver Clifton and Ms. Renee St. Rose for Alfa Telecom Turkey Limited (all present at hearing)

Respondents: Mr. James Nadin (by telephone), Ms. Victoria Lord (present at hearing) for Cukurova Finance International Limited and Cukurova Holding AS

Issues: Application to vary order of Court of Appeal – Whether Court of Appeal had jurisdiction to hear application

Result / Order: [Oral delivery]
1. The application filed by Alfa Telecom Turkey Limited on 8th June 2012 is hereby dismissed.
2. Alfa Telecom Turkey Limited shall pay costs to the respondents to be assessed if not agreed within twenty-one (21) days of today's date.

Reason:

The order of the Court of Appeal dated 5th December 2011 which the applicants sought to vary had already been superseded by two subsequent orders of the Judicial Committee of the Privy Council. Accordingly the Court of Appeal no longer had jurisdiction in the matter.