

ROYAL COURT

7th September, 1994. 179.

Before: F.C. Hamon, Esq., Commissioner,
assisted by Jurats Gruchy and Le Ruez

In the matter of the Judgments (Reciprocal Enforcement) (Jersey) Law 1960.

And in the matter of the Judgment of the High Court of Justice of England and Wales, Chancery Division, Manchester District Registry, obtained in the action between Geoff Bell Holdings Limited, Plaintiff, and Ian Geoffrey Bell, Defendant, and dated the 15th day of February, 1993.

Defendant's application for a stay of the further enforcement of the Plaintiff's English Judgment dated the 15th February, 1993, and registered in Jersey pursuant to the Judgments (Reciprocal Enforcement) (Jersey) Law, 1960, as appears by Act of Court of the 25th August, 1993, notwithstanding that such application is brought outside time period fixed by the Judgments (Reciprocal Enforcement) (Jersey) Rules, 1961.

The application was adjourned until further Order of the Court on 17th May, 1994, and on 5th September, 1994. (*See Jersey Unreported Judgements of those dates [1994/175 & 178]*).

Advocate P.S. Landick for the Defendant applicant.
Advocate A.P. Begg for the Plaintiff.

JUDGMENT

5 THE COMMISSIONER: On Monday of this week this Court sat to hear further argument in this case adjourned from the 17th May, 1994, where a consent Order was made after argument *inter partes*. It became clear that the thrust of Mr. Landick's application was that, as the High Court had made an Order setting aside its Order made on the 15th February, 1993, the reciprocal registration Order was no longer tenable and all orders made consequent to it fell away.

It became clear to us that the reciprocal undertaking by counsel to reappear at 48 hours' notice concerned the application to seek a stay of the enforcement proceedings against Mr. Bell. With counsel's consent, and at some personal inconvenience to the Court, we abridged time to allow Mr. Landick to formulate a summons for hearing today.

At the hearing today Mr. Begg asked for a delay. He has satisfied us that because the summons goes further into the matter than the somewhat limited points of law adumbrated on Monday, he needs time to prepare his reply. Under Rule 8/5 of the Royal Court Rules we find it expedient in the interests of justice to adjourn this hearing to another day. We can only hope that counsel can see a way to bringing this matter back to Court without delay.

No Authorities.