



OUTER HOUSE, COURT OF SESSION

[2022] CSOH 59

CA131/21

OPINION OF LORD ERICHT

In the cause

BV10 LIMITED

Pursuer

against

(FIRST) ALLANVALE LAND (LINLITHGOW) LIMITED; (SECOND) JAMES VINCENT
KIRKWOOD

Defenders

Pursuer: MacColl QC; MortonFraser LLP
Defenders: Murdoch (sol-adv); Murnin McCluskey

25 August 2022

[1] This is one of two related cases which called before me for debate on the same day. The other case is *BV10 Limited v Allanvale Land Investments Limited* [2022 CSOH 58] (the “Investments Action”). This opinion should be read along with the opinion in the Investment Action, which is the lead opinion for the two cases.

[2] For the reasons set out in my opinion in the Investment Action I shall in this action uphold the pursuer’s pleas-in-law and repel the defenders’ pleas-in-law and grant decree *de plano*.