



# The Caribbean Court of Justice

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## APPELLATE JURISDICTION

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### MINUTES OF PROCEEDINGS

Case Name: The Commissioner Guyana Mines v Pharsalus Inc  
Courtroom: Court Room No. 1

Case No: CV 006 of 2012  
Method of Hearing: Video-Conference

Before: Mr. Justice R. Nelson, JCCJ; Mr. Justice A. Saunders, JCCJ; Mr. Justice J. Wit, JCCJ; Mr. Justice D. Hayton, JCCJ and Mr. Justice W. Anderson, JCCJ

Appellant: The Commissioner Guyana Mines and Geology Commission - represented by Mr. Hari Ramkarran SC, Mr. Fitz Peters and Mr. Kamal Ramkarran

Respondent: Pharsalus Inc - represented by Mr. Sanjeev Datadin; Mr. Charles Ramson; Mr. C.V. Satram and Mr. Arun Gajraj

Registry: Nandlal Hardial, Registry Supervisor and Jacqueline Swaby Court Support Officer

Date: Wednesday 30<sup>th</sup> October 2013

#### DELIVERY OF THE JUDGMENT ON THE APPEAL

#### Remarks:-

- a. The Presiding Judge made an introductory remark.
- b. The Registry Supervisor called the matter and requested the appearances for the Court
- c. The appearances for the Appellant and the Respondent were announced.
- d. The Honourable Mr. Justice R. Nelson, JCCJ stated that the Judgment was agreed to by all the Five judges and have been signed by them.
- e. The Court delivered its Judgment, and the Executive Summary was read by the Honourable Mr. Justice D. Hayton, JCCJ. The Court orders as follows:-
  - 1) The appeal filed on behalf of the Appellant on the 25<sup>th</sup> day of October 2012 is allowed and that the orders of the Court of Appeal dated the 16<sup>th</sup> day of February 2012 be discharged and that the orders of the Honourable Mr. Justice Chang, CJ (Ag) in the High Court of Justice dated the 15<sup>th</sup> day of December 2008 be discharged save and except for the order discharging the fourth order nisi of the Honourable Mr. Justice Roy dated the 10<sup>th</sup> day of August 2007, for the grant of a prospecting licence to the Respondent
  - 2) The earlier three (3) orders nisi of the Honourable Mr. Justice Roy, dated the 10<sup>th</sup> day of August 2007, be remitted to the High Court of Justice, Guyana, for a trial on their merits
  - 3) The Guyana Geology & Mines Commission is replaced as the Appellant/Defendant in these proceedings, in place and instead of the Commissioner of the Guyana Geology & Mines Commission
  - 4) The orders as to costs made at the Court of Appeal and at the High Court of Justice by the Honourable Mr Justice Chang, CJ (Ag) be discharged
  - 5) There be no order as to costs at the Caribbean Court of Justice.
- f. This brought the proceedings to an end.

Opening	Adjournment	
1:30pm	1:40pm	
Total time in Court		10 mins



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Dr. Leighton Jackson  
Registrar and Chief Marshal(Ag)

*Date: 30<sup>th</sup> October 2013*