CARIBBEAN COURT OF JUSTICE

3rd Floor, 134 Henry Street, Port of Spain,
Republic of Trinidad and Tobago
Phone: 1 868-623-2CCJ; Fax (868) 624-9068
Website: www.caribbeancourtofjustice.org

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FRESH TRIAL IN CCJ MATTER

CCJ, Port of Spain. The CCJ ordered that a matter more suited to be dealt with by the High Court be sent back to that court for a new trial of the issues. In the case *Gayadin et al v Republic Bank Limited* [2014] CCJ 13 (AJ) the Appellants/Borrowers failed to satisfy various financial obligations owed to the Respondent/Bank which resulted in the Bank initiating legal action in the High Court of Guyana to recover the money owed to it.

The Bank was successful in its action in the High Court but the case made its way to the Court of Appeal which decided that it did not have the jurisdiction to hear the matter. The Borrowers then sought permission to bring an appeal against that decision to the CCJ. Adjudicating the Borrowers' application on written submissions, the CCJ examined the basis on which the Court of Appeal decided it could not entertain the appeal and found that the Court of Appeal was wrong not to hear the matter. The CCJ held that section 6 of the Guyana Court of Appeal Act provides an avenue through which the Borrowers could have had their appeal heard.

Ultimately, the Court granted permission to the Borrowers to appeal in the CCJ. However, it sent the matter back to the High Court for a fresh trial and ordered each party to bear its own costs.

The Court was presided over by Mr Justice Nelson along with Justices Saunders and Anderson. Mr Timothy Jonas filed submissions on behalf of the Appellants. Mr Kamal Ramkarran filed submissions on behalf of the Respondent.

The final judgment of the Court and an Executive Summary is available on the CCJ's website at www.caribbeancourtofjustice.org.

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