

## **CFI 023/2012 - Order**

**Claim no. CFI 023/2012**

**THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS  
IN THE COURT OF FIRST INSTANCE**

BETWEEN

**SIMMONS AND SIMMONS MIDDLE EAST LLP** Claimant

and

**(1) MOHAMMAD ABDEL-KHALEQ MOHAMMAD ABU-ALHAJ**First Defendant**(2) PETRA INVEST LTD.**Second Defendant

### **DEFAULT JUDGMENT MADE BY REGISTRAR MARK BEER**

**UPON** reviewing the request made by the Claimant on **20 December 2012** for a Default Judgment in accordance with rule 13.1(1) and (2) of the Rules of the DIFC Courts ("RDC"), it is found as follows:

1. The request is not one prohibited by RDC 13.3.
2. The Second Defendant has failed to file an Acknowledgment of Service or a Defence to the claim (or any part of the claim) with the DIFC Courts and the relevant time for so doing has expired (RDC 13.4).
3. The Second Defendant has not: (i) applied to the DIFC Courts to have the Claimant's statement of case struck out under RDC 4.16; or for immediate judgment under RDC Part 24 (RDC 13.6(1)); (ii) satisfied the whole claim (including any claim for costs) on which the Claimant is seeking judgment; or (iii) filed or served on the Claimant an admission under RDC 15.14 or 15.24 together with a request for time to pay (RDC 13.6(3)).
4. The Claimant filed a Certificate of Service under RDC 9.43 on 7 November 2012.
5. The Claimant has followed the required procedures for obtaining Default Judgment pursuant to RDC 13.7 and 13.8.

### **ACCORDINGLY it is hereby ORDERED THAT:**

6. The Court is satisfied that the relevant conditions set out in RDC 13.22 have been satisfied, and so the request is granted..
7. The Second Defendant is ordered to pay the Claimant the amount of AED 746,699.10 within 14 days.

Issued by:

**Mark Beer**

Registrar

Date of Issue: 22 January 2013

At: 8am