

CFI 026/2010 - Order

AUGUST 19, 2011 COURT OF FIRST INSTANCE - ORDERS,ORDERS

Claim No: Application dated 25 July 2011

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE DIFC COURTS OF FIRST INSTANCE

Between

ANNA DADIC Claimant

and

**THE STATE OF
THE UNITED ARAB
EMIRATES**

THE EMIRATE OF
DUBAI (Known as
the Government of
Dubai)

**THE DUBAI
INTERNATIONAL
FINANCIAL
CENTRE**

THE DUBAI
INTERNATIONAL
FINANCIAL CENTRE
AUTHORITY

Intending Defendants

ORDER OF JUSTICE DAVID WILLIAMS

MADE ON 19 AUGUST 2011

1. This Order relates to the Claimant's application dated 25 July 2011. The Claimant seeks permission

pursuant to paragraph (b) of the Civil Restraint Order ("**CRO**") issued against her on 20 July 2011 to proceed with a claim for judicial review against the following defendants:

(a) [The State](#) Of The United Arab Emirates

(b) [The Emirate](#) Of Dubai (Known As [The Government](#) Of Dubai)

(c) The Dubai International Financial Centre

(d) The Dubai International Financial [Centre Authority](#).

2. The relevant terms of the CRO prescribe as follows:

"(a) The Claimant is forbidden for a period of two years from the date of this Judgment (whether personally or through any servant or agent) from making any further application or taking any steps (including for the avoidance of doubt the issuing of any further applications or claims in whatever form) in the [DIFC Courts](#) of First Instance in relation to the matters covered by Claim CFI 026/2010 or in relation to matters arising out of or relating to her litigation with her former employer, including those covered by Claim CFI 007/2008, without obtaining permission in accordance with subparagraph (b) below;

(b) If the Claimant wishes to apply for permission to make any further application described in subparagraph (a) above, then an application for such permission must be made in writing to a single judge of the [DIFC Courts](#) and the application will be dealt with on paper alone;"

3. The [Registrar](#) allocated the Claimant's application to me to decide whether the Claimant should be granted permission under paragraph (b) of the CRO to proceed with her claim for judicial review.

4. I note at the outset that the Claimant's application falls within the scope of the CRO (see paragraph

(a) of the CRO above). The substance of the claim relates to the matters covered by Claim CFI 026/2010. The Claimant seeks judicial review of *inter alia*:

(a) the decision to issue the Judgment issued on 20 July 2011 and the CRO, both of which arise out of Claim CFI 026/2010;

(b) the alleged decisions to obstruct the lawful case management of the proceedings in Claim CFI 026/2010; and

(c) the alleged decisions to obstruct the just and prompt disposal of the proceedings in Claim CFI 026/2010.

5. Having considered the Claimant's submissions and supporting exhibits I decide that the Claimant is denied permission to proceed with her claim. The intended claim seeks to reopen matters that have already been decided in my minute dated 14 May 2011 and my judgment dated 20 July 2011. The claim discloses no arguable case as far as judicial review is concerned.

6. If the Claimant seeks to reopen these matters, she should seek leave from the [Court](#) of Appeal to appeal my judgment dated 20 July 2011 in accordance with the procedure laid down in RDC 44. Indeed, paragraph (f) of the CRO expressly permits the Claimant to appeal my judgment without seeking permission under subparagraph (a) of the CRO.

7. I therefore ORDER that permission be refused in respect of the Claimant's application dated 25 July 2011.

Justice David Williams

Date of issue: 19 August 2011 at 4pm