Claim No: ARB 048/2025

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

PEREGRINE

Claimant/Applicant

and

PALMINA

Defendant/Respondent

ORDER WITH REASONS OF H.E. JUSTICE MARK PELLING

UPON the Registry having notified the parties that the hearing currently fixed for 7 September 2026 can no longer be accommodated (the "Hearing")

AND UPON the Claimant's application No. ARB-048-2025/2 dated 2 September 2026 seeking an adjournment of the Hearing currently fixed for 7 September 2026 (the "Application")

IT IS HEREBY ORDERED THAT:

1. There be no order on the Application.

2. The Hearing currently fixed for 7 September 2026 be vacated and re fixed on 17 September 2026.

3. Costs are reserved be determined on 17 September 2026 or such other date as might be fixed at that hearing.

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 3 September 2026
At: 3pm

SCHEDULE OF REASONS

1. This is an application by the Claimant for the adjournment of the Hearing.

2. All parties have been informed that the Hearing cannot be accommodated on 7 September, and various alternatives have been identified of which one (17 September) can be accommodated by the Defendant and the Court. That being so the Hearing will not any longer be on 7 September 2026.

3. The Claimant has sought a further adjournment for an undefined period. The Application is made on the basis that Mr Pace alleges that he is unable to conduct the Hearing because his "mental and emotional condition had deteriorated"; he is currently suffering "substantial distress and difficulty concentrating on complex material for sustained periods" and does not consider himself "capable of adequately preparing for and personally conducting a hearing of this complexity on 7th September." This material does not form an adequate reason for adjourning an application for an indefinite period. Firstly, the Court will not usually entertain such an application unless it is supported by medical evidence from a consultant physician practising in the relevant specialist field that sets out the condition being suffered by the applicant for an adjournment and which contains a prognosis as to which the applicant will be fit to proceed with the application. The evidence filed in support of the Application does not satisfy this requirement. Secondly, courts will not generally adjourn a hearing for indefinite periods, because the consequence would be to deprive the other party or parties of the opportunity of having the dispute resolved by the Court. Thirdly, although the evidence suggests that the Claimant is in the course of appointing legal counsel, no explanation is offered as to why that step has not been taken sooner. Fourthly the evidence does not explain why the Claimant (a corporation) is solely dependent on Mr Pace for its representation.

4. The Hearing on 7 September 2026 has to be vacated because of listing congestion. The application to be determined at the Hearing should be determined on the first available date after 7 September 2026. The Court is able to accommodate 16 or 17 September. The Defendant is able to accommodate 17 September. The Claimant has declined to inform the Court when it will be willing and able to attend. In those circumstances, the Hearing should be vacated and re-fixed for 17 September.

5. Any further applications for an adjournment by the Claimant must be supported by medical evidence which complies with the requirements set out above and explain (if it be the case) why the Claimant has not appointed lawyers to represent it and when it proposes to do so.