Claim No. TCD 003/2019

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

PANTHER REAL ESTATE DEVELOPMENT LLC

Claimant/Respondent

and

MODERN EXECUTIVE SYSTEMS CONTRACTING LLC

Defendant/Appellant

ORDER WITH REASONS OF JUSTICE SIR RICHARD FIELD

UPON The Claimant's Appeal Notice dated 8 November 2022 seeking permission to appeal (the "Permission Application") against the Judgment of Justice Sir Richard Field dated 26 September 2022 (the "Judgment")

AND UPON considering the Claimant's grounds of appeal (the "Grounds of Appeal")

AND UPON considering the Judgment

AND UPON considering the Claimant's Skeleton Argument dated 7 November 2022 in support of the Permission Application

AND UPON considering the Defendant's written submissions dated 21 November 2022 opposing the Permission Application

AND UPON considering paragraphs 118 - 191 of the Claimant's Supplemental Skeleton Argument served on 5 December 2022 in response to the Defendant's application for permission to appeal the Judgment

IT IS NOW HEREBY ORDERED:

1. The Permission Application is granted.

2. The Claimant shall have permission to appeal all of its Grounds of Appeal pursuant to RDC 44.19.

3. Costs of the Permission Application shall be costs in the appeal.

Issued by:
Delvin Sumo
Assistant Registrar
Date of issue: 20 December 2022
At: 2:45pm

SCHEDULE OF REASONS

1. Although the Claimant's Skeleton dated 5 December 2022 was served within the Defendant's application for permission to appeal the Judgment and without permission to do so from the Court, I have considered paragraphs 118 - 191 of that skeleton and in my judgment, each of the Claimant's Grounds of Appeal has a real prospect of success for the purposes of RDC 44.19 and accordingly I grant the Permission Application.