Claim No: TCD 002/2024

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF APPEAL

BETWEEN

AHMED MOHAMED EID Al YAHAD AL ZAABI

Claimant/Appellant

and

AL BUHAIRA NATIONAL INSURANCE COMPANY

Defendant/Respondent

ORDER WITH REASONS OF H.E. CHIEF JUSTICE WAYNE MARTIN

UPON the Judgment of H.E. Justice Roger Stewart dated 28 August 2025 (the "Judgment")

AND UPON the Claimant's Renewed Permission to Appeal Application dated 30 October 2025 seeking to appeal the Judgment (the "Renewed Permission Application")

AND UPON the Order of H.E. Chief Justice Wayne Martin dated 6 January 2026 dismissing the Renewed Application (the "Order")

AND UPON the costs provisions provided at paragraphs 2-5 of the Order

IT IS HEREBY ORDERED THAT the Defendant's costs of the Renewed Permission Application are assessed in the amount of AED 70,000.

Issued by:
Hayley Norton
Assistant Registrar
Date of issue: 26 February 2026
At: 12pm

SCHEDULE OF REASONS

1. In accordance with the Orders made on 6 January 2026 the Defendant has provided a statement of the costs it seeks in respect of the unsuccessful Renewed Permission Application. The Claimant has not provided any submissions in opposition to the amount claimed. However, it remains necessary for the Court to form its own view in respect of the appropriateness of the quantum of costs claimed.

2. The Defendant claims an amount of AED 100,862.38. The statement of costs sets out the hourly rates charged by the practitioners who worked on the matter. The rates are all within the range provided in the Registrar's Direction and appear to be reasonable.

3. However, the amount claimed derives from 50 hours of professional time said to have been spent on the matter by the legal team representing the Defendant. The reasonableness of those hours must be assessed in a context in which the Renewed Permission Application raised essentially the same grounds as the initial application for permission, so that the issues had already been addressed in the skeleton provided on behalf of the Defendant in response to the initial application. The skeleton provided in response to the Renewed Permission Application covered essentially the same ground as the skeleton provided in response to the initial application, augmented by a section dealing with the application to adduce new evidence.

4. It is not apparent that any significant work other than the preparation of the skeleton in response to the Renewed Permission Application would have been required. In these circumstances a claim for 50 professional hours is excessive.

5. The Defendant's costs of the Renewed Permission Application are assessed in the amount of AED 70,000.