Claim No. CFI 009/2023
CFI 005/2016

IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

In Claim No. CFI 009/2023

(1) BANK SARASIN-ALPEN (ME) LIMITED
(2) SHAHAB HAIDER
(in his capacity as Liquidator of Bank Sarasin-Alpen (ME) Limited)

Claimants

and

(1) MR ELIE VIVIEN SASSOON
(2) MR STEPHANE EMILE ASTRUC
(3) MR EDMOND CARTON
(4) BANK J SAFRA SARASIN LIMITED
(5) BANK J SAFRA SARASIN ASSET MANAGEMENT (MIDDLE EAST) LIMITED

Defendants

In Claim No. CFI 005/2016

(1) MR RAFED ABDEL MOHSEN BADER AL KHORAFI
(2) MRS AMRAH ALI ABDEL LATIF AL HAMAD
(3) MRS ALI MOHAMED SULAIMAN AL RIFAI

Claimants

and

(1) BANK SARASIN-ALPEN (ME) LIMITED

Defendant / First Respondent

(2) SHAHAB HAIDER
(in his capacity as Liquidator of Bank Sarasin-Alpen (ME) Limited)

Second Respondent

(1) MR ELIE VIVIEN SASSOON
(2) MR STEPHANE EMILE ASTRUC
(3) MR EDMOND CARTON

Applicants

ORDER OF THE CHIEF JUSTICE ZAKI AZMI

UPON the Defendants' Appeal Notice dated 28 September 2023 seeking permission to appeal the Order of Justice Sir Jeremy Cooke made at a hearing held on 7 September 2023 and issued with a schedule of written reasons on 15 September 2023 (the "Renewed Permission Application dated 28 September 2023")

AND UPON the Defendants' Appeal Notice dated 8 November 2023 seeking permission to appeal the Order of Justice Sir Jeremy Cooke made at a hearing held on 18 October 2023 and issued with a schedule of written reasons on 7 November 2023 (the "Renewed Permission Application dated 8 November 2023" or together with the Renewed Permission Application dated 28 September 2023, the "Renewed Permission Applications")

AND UPON a hearing having held on 18 December 2023 to determine the Renewed Permission Applications with counsel for the Claimants and counsel for the Defendants in attendance (the "Hearing")

AND UPON reviewing all relevant material added on to the Court file

AND UPON reviewing the Rules of the DIFC Courts (the "RDC")

IT IS HEREBY ORDERED BY EXTEMPORE JUDGMENT THAT:

1. The Renewed Permission Application dated 28 September 2023 is dismissed.

2. The Renewed Permission Application dated 8 November 2023 is dismissed.

3. Costs shall be assessed by the Registrar in absence of the parties' agreement.

Issued By:
Delvin Sumo
Assistant Registrar
Date of issue: 21 December 2023
At: 12pm