**Claim No. CFI 047/2021**

**THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS**

**IN THE COURT OF FIRST INSTANCE**

BETWEEN

**EMIRATES REIT (CEIC) PLC**

Claimant

and

**PASS HOLDCO LIMITED**

Defendant

---

**DEFAULT JUDGMENT MADE BY H.E. JUSTICE NASSIR AL NASSER**

---

**UPON** the request made by the Claimant on 31 May 2021 for a Default Judgment (the "Request") pursuant to with Rule 13.1 (1) and (2) of the Rules of the DIFC Courts ("RDC"), it is found as follows:

1. The Request is not one prohibited by RDC 13.3 (1) or (2).

2. The Defendant has failed to file an Acknowledgment of Service or a Defence to the claim (or any part of the claim) with the DIFC Courts and the relevant time for so doing has expired (RDC 13.4).

3. The Defendant has not: (i) applied to the DIFC Courts to have the Claimant's statement of case struck out under RDC 4.16; or for immediate judgment under RDC Part 24 (RDC 13.6(1)); (ii) satisfied the whole claim (including any claim for costs) on which the Claimant is seeking judgment; or (iii) filed or served on the Claimant an admission under RDC 15.14 or 15.24 together with a request for time to pay (RDC 13.6(3)).

4. The Claimant filed a Certificate of Service in accordance with RDC 9.43 on 26 May 2021.

5. The Claimant has followed the required procedure for obtaining Default Judgment.

6. The claim is for a specified sum of money and the Request specifies the date by which the whole of the judgment debt is to be paid or the times and rate at which it is to be paid by instalments (RDC 13.9).

7. The DIFC Courts are satisfied that the conditions of RDC 13.22 and RDC 13.23 have been met.

8. The Claimant has submitted evidence, as required by RDC 13.24, that (i) the claim is one that the DIFC Courts have power to hear and decide; (ii) no other court has exclusive jurisdiction to hear and decide the claim; and (iii) the claim has been properly served.

**ACCORDINGLY IT IS HEREBY ORDERED THAT:**

1. The Request is granted.

2. The Defendant is ordered to pay the Claimant the amount of AED 2,309,275.05 plus interest at the rate of 9% per annum as per Practice Direction No. 4 of 2017.

3. The Defendant shall pay the Claimant the Court fees in the sum of USD 26,288.02.

Issued by:
**Ayesha Bin Kalban**
Deputy Registrar
Date of Issue: 6 June 2021
At: 2pm