Claim No. CFI 011/2021

THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS

IN THE COURT OF FIRST INSTANCE

BETWEEN

ISCHEBECK TITAN (MIDDLE EAST) SCAFFOLDING LLC

Claimant

and

AL ARIF CONTRACTING CO LLC

Defendant

DEFAULT JUDGMENT MADE BY H.E. JUSTICE MAHA AL MHEIRI

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the request made by the Claimant on 25 August 2021 for a Default Judgment against the Defendant in accordance with Part 13 of the Rules of the DIFC Courts (the **"Request"**) (**"RDC"**)

AND UPON the Claimant filing further submissions on 29 August 2021, it is found as follows:

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

2. The Request is one permitted by RDC 13.4 on the basis that 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.

3. The Claimant has filed a Certificate of Service in respect of service on the Defendant pursuant to RDC r.9.43. Service was effected on 8 March 2021.

4. The Claimant has followed the required procedure for obtaining Default Judgment (pursuant to RDC rr.13.7 and 13.8).

5. The Request includes a request for interest pursuant to RDC r.13.14 and the Claim Form sets out the calculation of interest in the claim.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

6. The Request is granted.

7. The Defendant shall pay the Claimant within 14 days, from the date of this Order, the judgment sum of AED 9,522,068.88.

8. In addition, pursuant to DIFC Courts Practice Direction No. 4 of 2017 the Defendant shall pay interest on the judgment sum to the Claimant from the date of this Default Judgment, until the date of full payment, at the rate of 9% annually.

9. The Defendant shall also pay the Claimant's costs of these proceedings comprising: (1) the Claimant's legal costs, until the date this request was fully pleaded, to be immediately assessed by the Registrar, if not agreed; and (2) costs of the Court filing fee.

Issued by:
Nour Hineidi
Registrar
Date of issue: 31 August 2021
At: 9am