

JERSEY / JUDGMENT

Perry v Abraham [2003]

JRC 108 (01 July 2003)

[2003] JRC 108

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JUDGMENT

THE Commissioner: 1. This is an application to hear fresh evidence in a trial that has run for two years and has been adjourned on several occasions. The application is made at the eleventh hour as judgment is to be delivered tomorrow at 9.00am. 2. The Court clearly has the jurisdiction to hear further evidence before judgement is delivered. We have considered JEP -v- Qatar (2 nd December, 2002) Jersey Unreported [2002/227], and in particular the recent case of P-v- P (14 th April 2002) Jersey Unreported [2002/80]. In that case the learned Deputy Bailiff made it very clear that the new evidence must affect the decision that is about to be made. 3. The Land Registrar in Loulé has made a decision on 30 th May, one month ago. The Court was only made aware of the decision of the Land Registrar in the last few days. I decided to sit at very short notice to see whether there was anything that appeared to be so materially important that I should take it to the learned Jurats and postpone delivery of the Judgment. 4. After careful reflection I can see no such important material. The translation that we have received is not an official translation and it is not agreed by Advocate MacRae nor, I must say, is it clear on careful reading as to its effect. 5. The experts are locked in disagreement and we have no idea how they would each react to this present decision which in any event will not affect the new P. G. U which is about to be published. In my discretion I decline to take the matter further. Authorities JEP-v-Qatar (2 nd December,

2002) Jersey Unreported; [2002/227] P-v-P (14 th April, 2002) Jersey Unreported; [2002/80]. Page
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