



JUDGMENT

IN THE SUPREME COURT OF JUDICATURE OF JAMAICA

IN CIVIL DIVISION

CLAIM NO. HCV 01641 OF 2004

BETWEEN INTERNATIONAL TRUST LIMITED CLAIMANT
AND THE ATTORNEY GENERAL OF JAMAICA 1ST DEFENDANT
AND THE REGISTRAR OF TITLES 2ND DEFENDANT

BEFORE THE HONOURABLE MR. JUSTICE PUSEY
THE 1ST DAY OF FEBRUARY, 2006 & JANUARY 4, 2007

UPON the fixed date claim form dated July 9, 2004 coming on for hearing on February 1, 2006 and upon hearing Mr. Charles E. Piper and Mr. David Johnson, Attorneys-at-Law instructed by Messrs Piper & Samuda, Attorneys-at-Law then on the record for the Claimant and Ms. K. Francis and Ms Amina Kaknoon, Attorneys-at-Law instructed by the Director of State Proceedings, Attorney-at-Law on the record for the Defendants and upon the matter coming on for hearing on January 4, 2007 for delivery of Judgment and upon hearing Mr. Charles Piper, Attorney-at-Law on the record for the Claimant and the Defendants not appearing or being represented **IT IS HEREBY ADJUDGED AS FOLLOWS:**

The court declares

1. The Order of Foreclosure made by the Second Defendant on July 13, 1998 under mortgage no. 78657, vested the lands comprised in the Certificate of Title registered at Volume 1221 Folio 893 of the

Register book of Titles, in the Claimant as the registered proprietor, free from any and all competing interests

- ii That caveat no 7830004 was incorrectly endorsed by the Second Defendant, or other officer or clerk in the Office of titles on the new Certificate of Title registered at Volume 1313 Folio 763 of the Register book of Titles, issued in the Claimant's name in pursuance of the said Order for Foreclosure.

And orders

1. Witness Statements to be exchanged on or before February 29, 2008;
2. Skeleton Submissions to be submitted on or before April 18, 2008;
3. Bundles to be filed on or before April 25, 2008,
4. Costs to the Claimants to be taxed if not agreed

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JUDGE

Filed by Charles Piper of 13A North Avenue, Kingston 5 whose telephone numbers are (876) 968-0865-7; (876) 929-0836, Attorney-at-Law for and on behalf of the Claimant.