

**IN THE SEYCHELLES COURT OF APPEAL**

GEORGES SINON

APPELLANT

VERSUS

ROGER LAPORTE

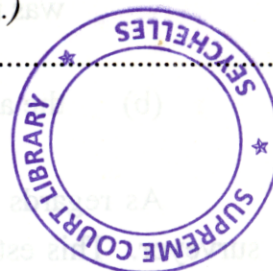
RESPONDENT

Civil Appeal No. 25 of 1995

*(Before H. Goburdhun, P, A. Silungwe, J.A, L.E. Venchard J. A.)*

Mr. A. Derjacques for the Appellant

Mr. F. Bonte for the Respondent



**JUDGMENT OF THE COURT**

The facts giving rise to this appeal may be briefly summarised as follows -

The mother of the parties was the owner of parcel of land S1171. She sold the parcel to another son Guilmer in 1983. The latter, in turn, sold the land to the Appellant. A few years before 1983, the mother permitted the Respondent to erect a house on the land and the Respondent, pursuant to that permission, constructed a corrugated iron sheet roofed house upon a wooden structure on the land. The Respondent subsequently built blockwork foundation, a wall around the existing old house and a storage tank in the teeth of objections.

The trial judge, in a considered judgment held that since the old house had been built with permission, the Respondent had to be compensated for the corrugated iron sheet roofed house in the sum specified in Mr. Derjacques' report, i.e. Rs. 27,500. He also held that the Respondent was entitled to retain the house pursuant to Article 555 of the Civil Code until he is paid compensation.