

COURT OF APPEAL OF SEYCHELLES

Reportable

[2023] SCCA 27 (7 July 2023)

SCA MA 26/2023

(Arising in SCA MA 21/2023)

In the Matter of

The Seychelles Human Rights Commission

The Ombudsman

The Bar Association of Seychelles

*(rep. by Mr. Divino Sabino, Mr. Corad Lablache &
Mr. George Robert)*

1st Applicant

2nd Applicant

3rd Applicant

and

**The Speaker of the National Assembly of
Seychelles**

The President of the Republic of Seychelles

**The Attorney General representing the Government
of Seychelles**

The Attorney General

(rep. by Mr Muhamed Saley)

1st Respondent

2nd Respondent

3rd Respondent

4th Respondent

Neutral Citation: *The Seychelles Human Rights Commission and Others v The Speaker of the
National Assembly of Seychelles and Others* (SCA MA 26/2023) [2023]
SCCA 27 (Arising in SCA MA 21/2023) 10 July 2023

Before: Robinson JA

Heard: 10 July 2023

Summary:

Delivered: 10 July 2023

ORDER

- (1) This Court hereby orders a stay of proceedings in the case reference CC7/2022 pending the hearing by the Court of Appeal in December 2023 of the application for special leave.
- (2) A copy of this order shall be filed forthwith in the case reference CC7/2022.

ORDER

F. Robinson JA

1. The Applicants have made an application before this Court (MA26/2023 arising in SCAMA21/2023) for an order to stay proceedings in the Constitutional Court case reference CC7/2022.
2. According to the affidavit evidence of the Applicants, after the Constitutional Court had dismissed their application to appeal the motion to recuse the panel hearing their Constitutional Petition, they filed an application for special leave with this Court. At a sitting of this Court in June 2023, this Court informed both Parties that the application for special leave would be heard during the December 2023 Court of Appeal session.
3. The affidavit evidence also averred that, on 5 June 2023, the Applicants filed an application before the Constitutional Court to stay proceedings in the case reference CC7/2022, which the Constitutional Court dismissed during proceedings on 27 June 2023. The Constitutional Court told the Applicants to apply for a stay of proceedings from this Court instead of making an application with the Constitutional Court, considering that the application is pending with this Court and will be heard in December 2023. The case reference CC7/2022 is scheduled to be heard on 11 July 2023.
4. At the first sitting of this Court with respect to the application for stay, Counsel for the Respondents submitted that the Respondents did not object to the application for stay of proceedings.
5. Since the Respondents, through Counsel, did not object to the application for stay of proceedings, this Court hereby orders a stay of proceedings in the case reference CC7/2022 pending the hearing of the application for special leave.
6. A copy of this order shall be filed forthwith in the case reference CC7/2022.

Signed, dated and delivered at Ile du Port on 10 July 2023



Robinson Justice of Appeal