

**CONSTITUTIONAL COURT OF SEYCHELLES**

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**Reportable**  
[2020] SCCC 2  
CP 08/2018 & CP 01/2019

In the matter between:

**PHILIPPE JUMEAU**  
*(rep. by Wilby Lucas)*

**Petitioner**

and

**THE GOVERNMENT OF SEYCHELLES**

**1<sup>st</sup> Respondent**

**ATTORNEY GENERAL**

**2<sup>nd</sup> Respondent**

*(both rep. by Jayaraj Chinasamy)*

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**ORDER**

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[1] The following orders are made in accordance with the powers of this Court under Article 130(4) of the Constitution and the Constitutional Court Rules 1994, in the light of established practices in similar matters, such as the order made in the case of Moulinie vs Government of Seychelles & Ors (SCA 40/13) [2016] SCCA10 (22 April 2016), and are required to be complied with before we can come to a full determination in this case.

[2] These orders concern 2 two constitutional petitions CP 08/2018 and CP 01/2019 made under Part III of Schedule 7 of the Constitution for compensation for past land acquisitions which were consolidated. The land parcels subject matter of the petitions are parcel J320 situated at Port Glaud, Mahe, parcels V370 and V375 situated at Beau Vallon, Mahe, and parcel V1970 (with a building thereon) situated at Mont Fleurie, Mahe. In order to assist it in coming to a proper and informed decision in this matter, this Court requires a valuation of the said parcels and hereby makes the following orders:

- (a) Valuations of parcels J320, V370, V375 and V1970 (with a building thereon) are to be carried out by a panel comprising of three experts.
- (b) The valuations are to be made on the basis of the value of the parcels at the time the petitioner made his claim before this Court, that is: 23<sup>rd</sup> November 2018 for parcels J320, V370 and V375; and 25<sup>th</sup> January 2019 for parcel V1970.
- (c) The petitioner and the respondent have each proposed one expert, who are Mr. Nigel Stanley Valentin and Mr. Patrick Lablache respectively, and the Court has selected Mr Daniel Blackburn as the third expert to make up the panel. The panel shall appoint a Chairman and they shall regulate their own internal proceedings, and their costs shall be jointly borne by the parties. The panel shall make available a report to this Court and both parties by the 31<sup>st</sup> of March 2020.
- (d) The first respondent is to do the needful to ensure that members of the panel have free and unhindered access to the respective parcels in order for them to carry out their valuation.

[3] To further assist the Court, we hereby further order that once the valuation has been completed, the first respondent shall take cognisance of the report and ascertain whether there are any Government owned properties of corresponding value to parcel J320, parcels V370 and V375, and parcel V1970, and report to this the Court to that effect before the 28<sup>th</sup> of April 2020.

[4] Any procedural issues arising out of this valuation process should be communicated to this court by the parties by way of Notice of Motion and in that regard both counsels in this case are called upon to exercise due diligence in ensuring that this decision of the Court, including the time schedule is fully complied with.

[5] The case is hereby adjourned to the 28<sup>th</sup> of April 2020 at 9am.

Signed, dated and delivered at Ile du Port on 25 February 2020

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Govinden J

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Vidot J

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Carolus J