

IN THE SUPREME COURT OF SEYCHELLES

1. RONNY GOVINDEN

SAMIA GOVINDEN

v.s

1. FRANCIS POINTE

**SELBY POINTE
RICHARD BAKER**

Civil Side No: 315 of 2003

Mrs. S. Govinden for the plaintiff
Mr. Juliette for the defendants

GASWAGA, J.

JUDGMENT

On the 21st November 2003 a plaint, praying for damages in the sum of Rs.55,000 from the defendants was filed in this Court and thereafter duly served on all the defendants who did not file a statement of defence. At the last sitting of 5th February 2006 when the case was to be heard Mr. Juliette who was at the time appearing for the second defendant withdrew from conducting his said client's case for lack of instructions. Since the other two defendants had not also attended court nor instructed lawyers, the case remained undefended whereupon Mrs. Govinden for the plaintiffs applied for judgment in terms of section 128 of the Seychelles Code of Civil Procedure Cap 213.

Accordingly, judgment is hereby given under section 128 (supra) for the plaintiffs and against all the defendants jointly and severally in the sum of Rs.55,000 with interest thereon and costs of the suit.

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D. GASWAGA
JUDGE

Dated this 5th day of July 2006