**IN THE SUPREME COURT OF SEYCHELLES**

**Civil Side:** **15/2014**

**[2014] SCSC**

**In the Matter of :**

**EXPARTE:**

**THE COMPETENT OFFICER**

Applicant

versus

**DAVID PETERSIK**

**Trading as Sundown Bar & Restaurant**

Heard: In Chamber

Counsel: Not availablefor Applicant

Not available for

Delivered: 9 July 2014

**D. Karunakaran Acting CJ**

1. By an application dated 26 February 2014, the competent officer from the Ministry of Labour and Human Resources Development applied for an order of the Court under (2) of Section 38 to restrain the former employer namely, David Petersik (trading as Sundown Bar & Restaurant) from leaving the jurisdiction of Seychelles since he has failed to pay the legal employment benefits and wages to his former employees.
2. Accordingly, the court on the 26 February 2014 made an order restraining/preventing David Petersik (trading as Sundown Bar & Restaurant) from leaving the jurisdiction of Seychelles pending further order of the Court or until such time he furnishes the necessary security or guarantee to the satisfaction of the Employment Officer Jimmy Finnese who had deponed the affidavit filed in support of the said application.
3. Now, upon the documentary evidence adduced by the Respondent, I am satisfied that the said David Petersik has fully complied with the order of the court. He has settled all the employment benefits and wages, which were due and payable to his former employees.

In the circumstances, I hereby revoke/cancel the previous restriction order that prevented David

Petersik from leaving the jurisdiction of Seychelles. Accordingly, I direct the Chief Immigration

Officer at the Airport to allow the said David Petersik to go in and out of the Republic of

Seychelles.

I direct the Registrar of the Supreme Court to intimate the department of Immigration forthwith of the cancellation of the said restriction order imposed on David Petersik.

Signed, dated and delivered at Ile du Port on 9th July 2014.

**Acting**