**IN THE SUPREME COURT OF SEYCHELLES**

**Civil Side: MA** **186/20****14**

**(arising in MC** **12/20****12)**

**[201****4] SCSC** **261**

**DAN PONAN**

versus

**HILDA CHRISTINE BRENDA CHETTY**

Heard: 17 July 2014

Counsel: Mr. J. Camillefor

Mr. N. Gabriel for

Delivered: 17 July 2014

**ON**

1. This is an application for an order of validation of the provisional attachment made by this Court in *Miscellaneous Cause No. 12 of 2012*. Pursuance of an order of this Court dated the 19th of March 2013 a provisional attachment of any money or all the monies to the extent of Rs.4,404,000/- due to or belonging to the judgment debtor which were or are in the hands of Nouvobanq Seychelles, state House Avenue, Victoria, Mahe, Seychelles.
2. On the 6th of June 2014 the Court entered judgment in favour of the plaintiff directing the defendant to pay the sum of Rs.4,354,000/- plus damages in the sum of Rs.50,000/-, totalling Rs.4,404,000/- plus costs and interest.
3. Upon the evidence adduced by the official from the Nouvobanq, I am satisfied that the judgment creditor is the lawful owner of the sum which remains in the savings bank account no. 01201011645009. According, I hereby validate the provisional attachment order in this matter and direct the Bank to pay the said sum namely, the balance which remains in the defendant’s account, Rs.2,529,026.04/- to the judgment creditor namely, Dan Ponan of Port Glaud, Mahe, Seychelles.
4. This sum will be paid towards part satisfaction of the judgment debt the defendant owes to the plaintiff in this matter.
5. For the avoidance of doubt for the balance, the judgment creditor is at liberty to execute the judgment against the judgment debtor. According I direct the bank to either transfer these funds to the account of the judgment creditor, Dan Ponan, or give a banker’s cheque in favour of the judgment creditor in this matter.
6. Further, I direct the Registrar of the Supreme Court to serve a copy of this order on the Manager of the Nouvobanq at the earliest.

Signed, dated and delivered at Ile du Port on 17 July 2014