

IN THE SUPREME COURT OF SEYCHELLES

Civil Side: MC 26/2017

CA 11/2017

[2017] SCSC

RHODES LIMITED
VS
SEYCHELLES PENSION FUND

Heard: 31 May 2017
Counsel: Ms Gill for petitioner
Mr. Camille for respondent
Delivered: 31 May 2017

ORDER

M. Twomey, CJ

- [1] The appellant has filed an appeal against the decision of the Rent Board on 20th April 2017. The decision of the Rent Board was delivered on the 27th January 2017.
- [2] The appellant has also filed a notice of motion dated 19th April 2017 for stay of execution of the order for eviction which is effective on the 27th July 2017. Section 22 of the Control of Rent Act and Tenancy Agreement Act in providing the procedure for appeal for the Rent Board provides in relevant part as follows:

“The procedure on appeal shall be by written notice to the Chairman of the Board. Such notice shall be delivered to a Clerk within fourteen days from the date of the decision complained of. Such period may however be extended by a Judge. The notice shall set forth the substance of such decisions and grounds of appeal.”

- [3]** The appeal in this case is clearly and hopelessly out of time and is so by a number of month. The application for stay of execution was filed before the appeal.
- [4]** The procedural defects are such that the Court cannot entertain the appeal or the stay. Both applications are therefore dismissed with cost.

Signed, dated and delivered at Ile du Port on 31 June 2017.

M. Twomey
Chief Justice