

## SUPREME COURT OF SEYCHELLES

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**Not Reportable**

[2019] SCSC 954

MA 343/2019

(Arising in MC 101/2019)

In the matter between:

**ADRIAN STEFAN ILIESCU**  
(Rep. by Mr Frank Elizabeth)

**Applicant**

*and*

**STEFAN PETRESCU**

**Respondent**

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**Neutral Citation:** *Iliescu v Petrescu* (MA 343/2019 [2019] SCSC 954 (7<sup>th</sup> November 2019))

**Before:** Twomey CJ

**Heard:**

**Delivered:** 7 November 2019

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### ORDER

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#### TWOMEY, CJ

- [1] The Applicant has filed a Petition on 5 November 2019 in which it claims that the Respondent has fraudulently obtained sole ownership and directorship of Global Business Group Limited, which company was incorporated in 2010 with himself as the sole beneficial owner.
- [2] The registered agent of the company is All About Offshore (Seychelles) Ltd. The latter was notified of Global Business Group's court cases in Romania against the Respondent but proceeded to issue a certificate of incumbency unlawfully naming the Respondent as the sole director of the company without informing or notifying the Applicant or his agent.
- [3] The present application is supported by an Affidavit from the Applicant who fears that unless restrained by an injunction the Respondent may again take matters into its own hands and deal with, transact or operate matters in relation to the company.

- [4] In view of these circumstances, the Applicant has prayed inter alia for an Order of Interlocutory Injunction in pursuance of the provisions of Sections 121, 122, 123 and 304 of the Seychelles Code of Civil Procedure (Cap 213) as read with the provisions of Sections 5 and 6 of the Courts Act (Cap 52).
- [5] The Respondent was served by the acceptance of the application on its agent All About Offshore. At the hearing of this application, Counsel for the company has now indicated that they represent the company and not the Respondent.
- [6] Nevertheless given the urgency of the matter and the need to maintain and conserve the assets of the company *pendent lite* I have proceeded to hear this matter.
- [7] On the face of the pleadings and the Affidavit, I am satisfied that the Applicant appears to have a bona fide claim as against the Respondent in the main suit.
- [8] I am further satisfied that unless the Court grants the Interlocutory Injunction as sought by the Applicant in this matter, the Petitioner will suffer substantial and irreparable loss, hardship and inconvenience in the event that judgment is given in his favour.
- [9] In the circumstances, I issue a writ of injunction against the Respondent prohibiting him from further dealings with the company Global Business Group until the final disposition of the main suit.
- [10] A copy of this Order is to be served on the company's registered agent, All About Offshore (Seychelles) Ltd.

Signed, dated and delivered at Ile du Port 7 November 2019.

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Twomey, CJ