

SUPREME COURT OF SEYCHELLES

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Reportable  
[2021] SCSC 935  
MA341/2021  
Arising out of CA 23/2021

**EX-PARTE**

**NORTH ISLAND COMPANY**

*(Rep by Mr. Guy Ferley)*

**Petitioner**

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**Neutral Citation:** *North Island Company* (MA341/2021) [2021] SCSC

**Before:** L. Pillay, sitting as a Judge of the Supreme Court

**Summary:**

**Delivered:** 31 December 2021

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**ORDER**

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**L. Pillay, J**

1. This is an application for an order for the release of the vessel “North Spray”.
2. I note that the order of Judge Esparon dated 28<sup>th</sup> October 2021 provides at paragraph (i) (a) for a deposit of one third of Euros 286, 531.61. I note that as per the records the sum of Euros 95, 510 .54 has been paid into Court though there is no date on the receipt. By my calculation one third of Euros 286, 531.61 is Euros 95, 510.33 so I accept that the payment receipt is in relation to the matter at hand.
3. I note that per the proceedings of 17<sup>th</sup> September 2021 at 9am Learned counsel Mr. Ferley moved for the release of “North Spray” at least. Judge Esparon in his Ruling at paragraph 46 (ii) had granted the release of “North Reve” on the payment of the one third of the Judgment sum.
4. With all the above in mind I will grant the motion for the vessel “North Spray” to be released instead of North Reve”.

5. I further order that the Court Usher will liaise with the Applicants, North Island Company Limited, to ensure that the vessel remaining in custody, being "North Reve", is properly secured from theft and sinking. Registrar to be so informed to give effect to the Order.

Signed, dated and delivered at Ile du Port on the 31<sup>st</sup> December 2021.

  
**L. Pillay**

Judge of the Supreme Court

