

IN THE SUPREME COURT OF SEYCHELLES

Civil Side: MC 15/2014

[2014] SCSC

In the Matter of :
EXPARTE:
THE COMPETENT OFFICER
Applicant

versus

DAVID PETERSIK
Trading as Sundown Bar & Restaurant
Respondent

Heard: In Chamber
Counsel: Not available for Applicant
Not available for respondent

Delivered: 9 July 2014

ORDER

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.

D Karunakaran
Acting Chief Justice