

IN THE FIJI COURT OF APPEAL
Civil Appeal No. 18 of 1986.

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Between: BRIJ BHUSHAN LAL Appellant

- and -

RAM VILASH Respondent

Mr. S. M. Koya for the Appellant.
Mr. H. M. Patel for the Respondent.

Date of Hearing : 22nd July, 1986.

Delivery of Judgment: 23rd July, 1986

JUDGMENT OF THE COURT

Speight, V.P.

There is no call to recount the circumstances giving rise to the relationship between the parties, as this is well known to all involved and will be dealt with in detail in the decision in the concurrent appeal against Life Insurance Corporation of India.

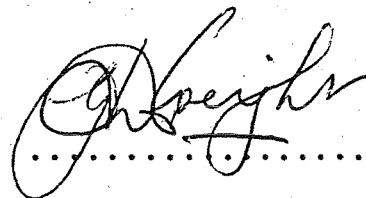
To resist an application for summary judgment a defendant must disclose the existence of an arguable defence. The material put before Rooney J. largely centred on the

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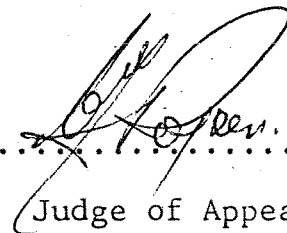
question of the liability of the appellant to pay Mr. Vilash's fee for acting on his behalf. Liability is now conceded and the only matter canvassed before this Court was the quantum of the claim at \$7200. Mr. Vilash was entitled to be paid a reasonable sum and he has filed an affidavit setting out matters which clearly demonstrated the considerable amount of work done, and related his charges to a professional scale of \$25.00 per hour, which was surprisingly low.

Nothing has been advanced to the contrary which could challenge the reasonableness of the amount claimed, and accordingly it was an appropriate case for summary judgment.

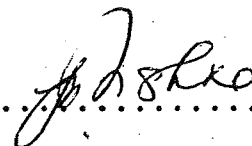
Appeal dismissed with costs.



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Vice-President



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Judge of Appeal



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Judge of Appeal