

In the High Court of Fiji

At Suva

Civil Jurisdiction

Civil Action No. HBC 185 of 2020

Down Under Pte Limited

Plaintiff

v

Mahend Chand Maharaj

Defendant

Bank of South Pacific

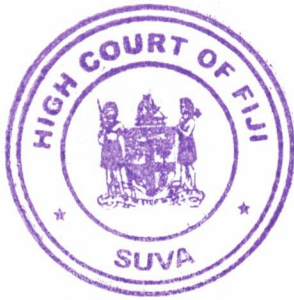
Interested party

Addendum to Ruling

1. I make the following amendments to my Ruling of 9th November, 2022:
 - (a) Sub paragraphs a) to d) which follows paragraph 9 and paragraph 10 are deleted, as these paragraphs relate to another Judgment, which have been inadvertently copied and pasted.
 - (b) The following paragraph is added as Paragraph 10:

The defendant in its draft statement of defence states that the alleged lease had expired in 2014 and the plaintiff has continued to occupy part of the defendant's premises on a month to month basis. The alleged renovation of the internal structures of the buildings was never referred to the defendant nor the Suva City Council for approval. The defendant did not enter into a fraudulent or dishonest mortgage as alleged. The plaintiff never complained about the increase of rent after the revaluation process. The defendant as legal owner of the property has the full authority to deal with his property.

2. The final Orders in my Ruling remain the same.



A.L.B. Brito-Mutunayagam

A.L.B. Brito-Mutunayagam

JUDGE

22nd December, 2022