

The Eastern Caribbean Supreme Court

In the Court of Appeal

GRENADA

GDAHCVAP2017/0002

BETWEEN:

**The Grenadian Hotel Limited
(doing business as the Grenadian by Rex Resorts)**

Appellant/Applicant

and

- 1. Beryl Isaac
The Cabinet Secretary of Grenada**
- 2. Her Excellency Dame Cecile La Grenade
The Governor General of Grenada**
- 3. The Attorney General of Grenada**
- 4. Eric Brathwaite
Manager of the Government Printery**

Respondents

ORDER

CHAMBERS

**BEFORE HIS LORDSHIP, THE HON. MR. DAVIDSON KELVIN BAPTISTE,
JUSTICE OF APPEAL, on the 21st day of February, 2017;**

UPON READING the notice of application for conservatory orders in administrative claim pending appeal, filed with supporting affidavit, skeleton arguments and authorities on 23rd January 2017;

AND UPON READING the notice of appeal filed on 16th January 2017;

AND UPON READING the certificate of urgency filed on 23rd January 2017;

AND UPON READING the notice of opposition and skeleton arguments in opposition filed by the respondents on 2nd and 6th February 2017, respectively;

AND UPON READING the respondents' bundle of authorities filed on 6th February 2017;

IT IS HEREBY ORDERED THAT:

- 1. An interim conservatory order is hereby granted directing that the first, second and third respondents including their officers, servants or agents take no steps to enforce any of their purported individual or collective rights arising from the Acquisition Notices published in the government Gazette dated 23rd December 2016, 30th December 2016 and 6th January 2017, respectively relating to the applicant's leasehold interest in 30 acres of land situate at Point Salines, St. Georges, which the applicant is currently in possession of pursuant to a lease between the Government of Grenada, represented by the Governor General, and the applicant, dated 29th July 1991 and which is recorded in the Deeds and Land Registry of Grenada in Liber 1-91 at page 219, by which the applicant was granted a ninety-nine year lease of the said thirty acres and upon which is located the hotel known as the Grenadian by Rex Resorts, which the applicant built, owns and operates, until the hearing and determination of the applicant's appeal against the decision of Adrien-Roberts J which was delivered on 20th December 2016;**
- 2. An interim conservatory order is hereby granted directing that the applicant be permitted to continue to remain in possession of and to continue to operate the hotel known as The Grenadian by Rex Resorts, which the applicant built and owns, until the hearing and determination of the applicant's appeal against the decision of Adrien-Roberts J delivered on 20th December 2016;**
- 3. The Attorney General is to pay to the applicant, the costs of this application to be assessed by a Judge if not agreed within 21 days.**

Dated the 21st day of February 2017



BY THE COURT


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DEPUTY CHIEF REGISTRAR