

BARBADOS.

[Unreported]

IN THE SUPREME COURT OF JUDICATURE

HIGH COURT

CIVIL JURISDICTION

NO. 635 of 1991

BETWEEN:

NYLOTEX LIMITED

Plaintiff

AND

BARBADOS INVESTMENTS

DEVELOPMENT CORPORATION

Defendant

Before The Honourable Mr. Justice William J. Chandler, Judge of the High Court

2006: March 10

2007: February 2

Ms. Faith A. Seale, Q.C., for the Plaintiff

Mr. Theodore Walcott QC with Ms. Anita Rampaul for the Defendant.

DECISION

Introduction

[1] This is an Application by Summons filed 1st July 2004 to further amend the Amended Defence filed 22nd June 2001 on behalf of the Defendant by inserting paragraph 8 into the Amended Defence and in renumbering the former paragraph 8 as paragraph 9.

[2] The proposed paragraph 8 is as follows:

8. The defendant claims against the plaintiff for use and occupation by the plaintiff of the defendant's premises at Units 3C and 1B, Building #2, Newton Industrial Estate in the parish of Christ Church for the period 1st September, 1990 to 31st October, 1995 at \$1,568.05 per month from the 1st day of September 1990 to the 31st day of December 1991, at \$1,960.06 per month from the 1st day of January 1992 to the 30th day of September 1995 and the sum of \$2,111.25 for the month of October 1995, being the total sum of \$147,725.81.

[3] The full text of the proposed further amended Defence is as follows:

BARBADOS

No. 635 of 1991

IN THE HIGH COURT OF JUSTICE

CIVIL DIVISION

BETWEEN:

NYLOTEX INDUSTRIES LTD

Plaintiff

AND

BARBADOS INDUSTRIAL DEVELOPMENT

CO