**INTHE REPUBLIC OF TRINIDAD AND TOBAGO**

**CHRISTOPHER ROSS GIDLA**

**Bar NO. GIC2006148**

**GIDLA & ASSOCIATES**

**123 Duke Street**

**Port of Spain**

**Tel/Fax:624-4410**

IN THE HIGH COURT OF JUSTICE

Claim No: CV 2011-03169

BETWEEN

**RONALD RAMJIT Claimant**

**AND**

**SHUKUNDAI SAMAROO Defendant**

\* \* \* \* \*

I, **SHUKAUNDAI SAMAROO, of 76 Back Street, Cane Farm, Tacarigua make oath and say as follows:**

1. **The facts and matters deposed to herein are true and correct and within my personal knowledge, except where otherwise stated in which case I verily believe them to be true and correct.**
2. **I am making this affidavit in support of the evidence for the purpose of the summary judgment hearing , application of the summary Judgment made by the claimant on 10th of January, 2012.**
3. **I am the Defendant in this matter. I am years old. The claimant is my second son.**
4. **I have a property situate at 24 Crown street, Tacarigua. I have put the claimant’s name in the lease, purely to facilitate paying of the rental and land and building taxes. My husband was paralysed and as of my age was not able to go Warden’s office and it was arranged that the Claimant could go to the Warden’s office on my behalf.**
5. **There was no real intention to share the lease. However, the Claimant did execute a transfer note in the office of L.K Doodnath Attorney at Law’s office and the copy of the affidavit sworn by the Attorney is hereto attached and exhibited as “SS1”.**
6. **After making the said transfer the Claimant left home in 1986.**
7. **The Claimant visited me in the year 1990 and the purpose of his visit is to obtain some money from me to fix his motor vehicle. I have never asked the Claimant to come and live with me as he claims in his Statement of claim.**
8. **In the year 1990 I started residing at No. 76 Back Street, Cane Farm, Tacarigua. I did not know when the claimant came and occupied the house. I only noticed that the claimant built a house and was living in that house in the year, 1999 when I sent my agent to visit the premises.**
9. **I have some material in the yard of my house and the Claimant used my material to build the said house.**
10. **After asking the Claimant to leave the premises I did not have any choice than to send my agents and to remove him from the premises.**
11. **The house he claims he built most of the structure was built by me. There is a concrete driveway at the back which is built by me.**
12. **Hence I have a realistic prospects of success on my defence and the summary Judgment should not be given to the claimant.**

Sworn to by the within )

Named Shukundai Samaroo )

This day of March )

At )

Stree, Port of Spain )

Before Me

Commissioner of Affidavits