Civil

Injunction/Trespass/Dispossession

**CHRISTOPHER GIDLA**

**Attorney At Law**

**GIC2006148**

**123 Duke Street**

**Port of Spain**

**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Between

**BISSONDATH MAHARAJ**

**MAHARAJ REAL ESTATE**

**COMPANY LIMITED**

**Claimants**

**AND**

**GOMATEE ALI Defendants**

**- - - -** ooo**000**ooo **- - - -**

I Bissondath Maharaj, of #21 Green Vale Avenue, Valsayn, managing director of Maharaj Real Estate Company limited make oath and say as follows:

1. I am the Applicant/Claimant herein
2. The facts and matters herein after deposed to are true and correct save where otherwise admitted to be on information in which case I verily believe the same to be true.
3. I deposed to this affidavit on my own behalf and on behalf of second named Applicant/Claimant and in support of the relief sought in my notice of application.
4. On or about 13th day of May, 2009 the defendant filed a claim form and statement of case seeking certain relief.
5. The respondent/defendants claim concerns a purported debt in the sum of three hundred thousand ($300,000) together with interest and costs.
6. My attorney at law at the time informed me and I verily believe that he was awaiting decision from the registrar as regards his status on section 29 (1) of the legal profession act 1986
7. I omitted to file my particulars including my defence.
8. I am informed and I verily believe that the registrar never responded. There is now shown to me a copy of the letter sent to the registrar by my attorney at law at the time and the same is hereto annexed and exhibited as bm1.
9. It was always been my intention to contest the said claim. This intention was expressed when I wrote to the Defendant /Respondent. A copy of the letter is now shown to me and the same is hereto annexed and marked. as bm2
10. On or about the 22nd of July,2009 I contacted the chambers of Mr.Christopher Ross Gidla of #123 Duke Street, Port of Spain with a view of retaining his services.
11. As I was in the throes of providing instructions to my attorney of Law the Respondent/Defendant preempted my moves to instruct my attorney at law.
12. On or about 28th of July, 2009 at around 7 30 am the Respondent/Defendant swooped down like a raid in a para military fashion with a contingent of police officers, bailiffs and persons holding out themselves as martial’s of the court and demanded I pay a judgment debt in the sum of $ 384,280.48.
13. I deferred to authority and issued three cheques , one banker’s draft in the sum of $75,000 and two personal cheques in the sums in the total sum of $309,280.48.There is now shown to me a copy of the banker’s draft is hereto annexed and marked “bm3”
14. I contacted my attorney at law and I was advised and verily believe the process employed by the respondent /defendant was an illegal one and I should place stop on the personal cheques. I complied.
15. Thereafter my attorney at Law wrote letters to the Defendant and to the bailiff. The Defendant ignored my letter and persisted in sending the bailiff again. Against my will and my counsel’s advice There is now shown to a copy of the letters and hereto annexed and marked bm4
16. I was never served with the execution documents from the court before to days date by the respondent/ defendant.

Sworn to at # 123 Duke Street)

Port of Spain this )

Day of 2009 )

**Before Me,**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Commisioner of Affidavits.**