*Civil*

*Injunction/Trespass/Dispossession*

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**THE REPUBLIC OF TRINIDAD AND TOBAGO**

**IN THE HIGH COURT OF JUSTICE**

Claim # of 2012

**MARTINO GROSS Claimant**

**AND**

**SHERON SUKHDEO Defendant**

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**Affidavit**

**I, MARTINO GROSS of #52 La Baja Road, Maracus, St.Joseph, in the Island of Trinidad make oath and say as follows:**

1. I am the Claimant herein.
2. On or before day of July, 2011, I made an agreement with Defendant, that the Defendant shall lend a sum of One hundred and fifty thousand dollars ($150,000) and I shall repay the sum together with one hundred and twenty dollars ($120,000) as interest. It was also agreed that in the event the said sum is not repaid on or before 25th of January 2012, I shall convey a certain property situate at La Baja Road, Maracus, St.Joseph bounded on the north by maracas River, on the South by La Baja Road, on the East by lands of Marsden and on the West by lands of Andre Llanos together with the building thereon and the appurtenances thereto belonging (hereinafter called the disputed lands ), on or before 24th of February, 2012. A Copy of the agreement is hereton attached and exhibited as “MG1”
3. On or about 23rd of January, 2012 I approached the Defendant and asked for a few more days to repay the sum. He agreed orally, that I could pay the sum by 12th of February, 2012.
4. On or before 27th of January, 2012 I approached the Defendant again with a cheque made for the full amount of two hundred and seventy thousand ($270,000) He refused to accept it in breach of the agreement on 12th of February, 2012
5. I approached him several times after and he constantly refused to accept the cheque.
6. The Defendant has sent agents on 30th January, 2012 and started removing the house hold items from the tenants in the downstairs of the building.
7. They did not identify themselves but said they are sent by the Defendant to possess the house and the house was sold to the Defendant.
8. I approached the police in St. Joseph Police station and a corporal Mendoza with his team immediately attended the premises and told the agents to leave the premises.
9. I am ready and willing to repay the amount borrowed and eventhough the date for equitable redemption has not passed the Defendant is trying to evict me from my property.
10. Unless this Honourable court grants an injunction asked for the Defendant will try to make other attempts.
11. In these circumstances I am requesting that an order would be made restraining the defendants from further attempts.

Sworn to at 123 Duke Street, ]

Port of Spain this day ]

Of 2012 ]

Before me

Commissioner of Affidavit.