



CARIBBEAN COURT OF JUSTICE

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**MEDIA RELEASE
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GUYANA RICE DEVELOPMENT BOARD SUCCEEDS AT THE CCJ: COURT OF APPEAL TO HEAR CASE

Port of Spain, Trinidad. The Caribbean Court of Justice (CCJ) today dismissed an application for special leave, submitted by Mr. Arnold Sankar, to appeal against a decision made by the Court of Appeal of Guyana. The CCJ agreed with the Court of Appeal that the Guyana Rice Development Board, the respondent in the case, should be granted an extension of time to seek leave to appeal, and leave to appeal the decision of the Full Court.

This matter goes back to 2016, when Mr Sankar sought damages in the amount of GY\$99 million, for an alleged breach of contract by the Board arising out of the purchase and sale of rice paddy. The Board's case before the Hon. Mme. Justice Insanally was plagued by delays and procedural difficulties, but eventually the judge gave the Board an extension of time for the filing of its Defence. Mr. Sankar successfully appealed to the Full Court which granted him judgment. The Board's appeal to the Court of Appeal was again marred by delays and procedural glitches, but the Court of Appeal agreed to give the Board an extension of time.

The CCJ acknowledged that the Court of Appeal of Guyana had done the right thing. The CCJ held that the Court of Appeal had the power to extend time in the interests of justice and found that the Court of Appeal had made the decision which best served the interests of justice. The CCJ found that in "arriving at a determination as to what is required in the interests of justice, a court should balance the interests of the dissatisfied litigant who wishes to pursue a right of appeal, on the one hand, with the interests of the successful litigant who wishes to have the satisfaction of the judgment in his favour without undue delay, on the other hand".

The CCJ also agreed with the Board that several issues raised by their counsel, Mr. Timothy Jonas, required the consideration of the Court of Appeal of Guyana. The CCJ therefore dismissed Mr. Sankar's application for special leave but ordered that each party bear their own costs of the application. The application was dismissed in a majority decision of 4 Judges with 1 Judge dissenting. The full judgment of the CCJ, and a judgment summary, are available at www.ccj.org.

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