

**IN THE CARIBBEAN COURT OF JUSTICE  
Original Jurisdiction**

**CCJ Application No TTOJ2020/001**

**Between**

**Mootilal Ramhit and Sons  
Contracting Limited**

**Claimant**

**And**

**The State of Trinidad and Tobago**

**First Defendant**

**And**

**The Caribbean Community**

**Second Defendant**

**And**

**Trinidad Cement Limited**

**Intervener**

**THE COURT,**

composed of J Wit, W Anderson, M Rajnauth-Lee, D Barrow and P Jamadar, Judges

Having regard to the originating application filed at the Court on 19 February 2020 together with the annexures thereto, the defence of the State of Trinidad and Tobago filed on 16 March 2020 and the annexures thereto, the defence of the Caribbean Community filed on 16 March 2020 and the annexures thereto, the Caribbean Community's production of documents filed on 27 March 2020, the reply filed on 7 April 2020, the statement of the Intervener filed on 27 April 2020, the Claimant's response to the statement of the Intervener filed on 15 May 2020, the response of the Caribbean Community to the statement of the Intervener filed on 15 May 2020, and the Claimant's statement of claims and issues filed on 6 July 2020

and considering that the parties engaged in discussions in light of the Judgment of the Court in *Rock Hard Cement Limited v The State of Barbados and The Caribbean Community and Arawak Cement Company Limited, Intervening* [2020] CCJ 2 (OJ) and arrived at a compromise of the claim, which this Court finds legally unobjectionable,

issues on the 23<sup>rd</sup> day of July 2020, the following:

## JUDGMENT

[1] The Court, by consent of the parties, orders and declares that:

- (a) The State of Trinidad and Tobago failed to ensure that the Claimant was consulted before the application for the suspension of the CET on Tariff Subheading 2523.90.00 was made and approved.
- (b) Leave is granted to the Claimant to discontinue all other claims contained in its Originating Application filed 19 February 2020.
- (c) The Claimant shall file written submissions on the issue of costs on or before 24 August 2020.
- (d) The Defendants and the Intervener shall file written submissions on the issue of costs on or before 7 September 2020.
- (e) The written submissions shall not exceed a total of **five (5) pages**, inclusive of footnotes, with a font of Times New Roman Size 12 and line spacing of at least 1.5.

*/s/ J Wit*

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**The Hon Mr Justice J Wit**

*/s/ W Anderson*

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**The Hon Mr Justice W Anderson**

*/s/ M Rajnauth-Lee*

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**The Hon Mme Justice M Rajnauth-Lee**

*/s/ D Barrow*

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**The Hon Mr Justice D Barrow**

*/s/ P Jamadar*

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**The Hon Mr Justice P Jamadar**