



## CARIBBEAN COURT OF JUSTICE

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**MEDIA RELEASE**  
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### **CCJ DETERMINES ABUSE OF PROCESS IN PROCEDURAL CHALLENGE FROM GUYANA**

**Port of Spain, Trinidad and Tobago.** On Friday, 14 February 2025, the Caribbean Court of Justice (CCJ) denied the [special leave](#) application of the Applicants in GY/A/CV2024/005 *Sunrise Inc Resource v Blue Star Export Inc* who wished to appeal the Court of Appeal of Guyana's dismissal of their earlier application to that court. The Court of Appeal had upheld the Full Court's decision that the Applicants had not properly served a Notice of Appeal.

At the Court of Appeal, the Applicants' counsel conceded that the Notice of Appeal was served outside of the prescribed time. At the case management hearing before the CCJ, new counsel for the Applicants attempted to present an entirely new argument that service was indeed effective. The Court ruled that this amounted to an abuse of process; it was contrary to the plethora of well-established authorities against litigants presenting new grounds before the Court which were not raised before. The Court accordingly dismissed the application, awarding costs to the Respondent.

The matter was heard by the Honourable Justices Anderson, Barrow, and Burgess. Mr Sanjeev J. Datadin and Mr Keavon Bess represented the Applicants and Mr Nirvan Singh represented the Respondent.

The CCJ's full decision is available via [www.ccj.org](http://www.ccj.org).

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About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago

on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Adrian Saunders. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court's Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to enable the CCJ to perform that role. At present, five states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

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