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Government Notices

No. 92

STATUTORY RULES AND ORDERS

The following Statutory Rules and Orders is published with and forms part of this issue of the *Official Gazette*:—

No. 26 of 2013. Forestry and Wildlife (Fees) Regulations, 2013.

By Command

STEVE FERROL
Secretary to the Cabinet.

DEPARTMENTAL AND OTHER NOTICES

EASTERN CARIBBEAN SUPREME COURT
IN THE HIGH COURT OF JUSTICE
(CIVIL)

COMMONWEALTH OF DOMINICA
DOMHCV2011/008

Between:

Edison Sampson

Claimant

and

Nicholson John Charles

Defendant

Before: The Hon. Justice Brian Cottle

Appearances:

Mr. David Bruney for the Claimant
Mr. Rene Butcher and Steven Isidore for Defendant

JUDGMENT

[2013: April 16th, 25th, 26th]
[August 21st]

- [1] Cottle J: The claimant and the defendant entered into a contract whereby the claimant agreed to build the defendant's house at Salisbury in Dominica. The contract was labour only. The building was to be completed within 8 months of the start date of 1st June 2010. On 2nd December 2010 the defendant took over construction. He hired the workmen who had been employed by the claimant on the work site to complete the project.
- [2] As at 2nd December 2010, the frame and upper floor of the building was complete in the main. The substructure and foundation were fully done. The roof covering, rain water pipes, and guttering were not yet done. The claimant brings the instant claim for breach of the building contract. Both parties agree that the defendant took over the building works on 2nd December 2010. The defendant says that the claimant abandoned the works and thereby repudiated the contract, whereupon he was compelled to take over and complete the building. The claimant says that the defendant ordered him off the work site in breach of the written contract. The dispute then is a simple contest of facts.