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## Departmental and Other Notices

IN THE EASTERN CARIBBEAN SUPREME COURT  
IN THE HIGH COURT OF JUSTICE

COMMONWEALTH OF DOMINICA  
(CIVIL)

DOMHCV2014/0217

*Between:-*

[1] The Dominica Agricultural, Industrial  
and Development Bank

*Claimant*

*and*

[1] Levi Maximea  
[2] Lucy Maximea

*Defendants*

*Appearances:*

Mrs. Colleen Felix Grant of Gerald Burton Chambers for  
the Claimant  
Mr. Levi Maximea in person

16<sup>th</sup> April 2015  
29<sup>th</sup> May 2015

**RULING**

[1] Stephenson J.: This is an application to strike out  
the defence filed herein on the grounds that the

defence discloses no reasonable ground for  
defending the claim and is an abuse of the process  
of court. The application is filed pursuant to Rule  
26.3 of CPR 2000.

**THE CLAIM**

- [2] On the 20th June 2014, the claimant bank (The Bank) filed a claim by way of fixed date claim form against the defendants for the sum of EC\$116,534.14 being the balance due and owing by the defendants on a mortgage loan granted to the defendants pursuant to an agreement made on the 29th day of April 1996 of which the bank alleges that the defendants are in breach of, with interest accruing on the debt until payment of same.
- [3] The Bank claims in the alternative that the mortgaged property be sold in accordance with the Titles by Registration Act.<sup>1</sup>
- [4] The bank has filed an affidavit sworn by their Recoveries Officer in support of their claim stating the particulars of the claim and exhibiting thereto the loan documents and demand made to the defendants.

<sup>1</sup> Chapter 56:50. of the Laws of the Commonwealth of Dominica