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Departmental and Other Notices

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

CLAIM No: DOM/HCV2008/0225

IN THE MATTER OF THE APPLICATION OF JEANNE PELTIER FOR THE ISSUE OF A FIRST TITLE IN RESPECT OF A PORTION OF LAND, A PART OF BALATA ESTATE, IN POINTE MICHEL, IN THE PARISH OF ST. LUKE IN THE COMMONWEALTH OF DOMINICA CONTAINING 6.010 ACRES.

Between:

- | | |
|-----------------------|-----------------------|
| [1] Jeanne Peltier | Caveatee/ Applicant |
| <i>and</i> | |
| [1] Alice Daniel | Caveators/Respondents |
| [2] Lorden Bardouille | |

CLAIM No: DOM/HCV2008/0226

IN THE MATTER OF THE APPLICATION OF MALLY PELTIER FOR THE FIRST ISSUE OF A FIRST ISSUE OF A FIRST CERTIFICATE OF TITLE IN RESPECT OF A PORTION OF LAND IN POINTE MICHEL, A PART OF LA FALAISE ESTATE IN THE PARISH OF ST. LUKE IN THE COMMONWEALTH OF DOMINICA CONTAINING 2.249 ACRES.

Between:

- | | |
|-----------------------|-----------------------|
| [1] Mally Peltier | Caveatee/Applicant |
| <i>and</i> | |
| [1] Alice Daniel | Caveators/Respondents |
| [2] Lorden Bardouille | |

Appearances:

Mr. David Bruney for the Applicants
Mrs. Singoalla Bloomqvist-Williams for the Respondents

2015: April 14

JUDGEMENT

- [1] COTTLE, J.: THE caveatees in these two claims are applying for the issue of a first certificate of title to lands at Pointe Michel in Dominica.
- [2] Jeanne Peltier claims to be the owner of 6.01 acres of land while Mally Peltier applies for 2.249 acres. The claims were consolidated and heard together.
- [3] The caveators have sought to prevent the issue of certificates of title to the caveatees. They claim to be the true owners of the lands in question. They say they will apply for certificates of title in due course.
- [4] The delivery of the decision in this matter has been greatly delayed. This is due in no small measure to the quality of the evidence presented to the court to make a determination. The lands in issue formed part of the estate of one Alexander Phito Charles. By his will, dated 9th October, 1922, Alexander Phito Charles devised the lands to certain relatives. This estate is yet to be administered and the bequests distributed. Obviously, in the intervening century, beneficiaries have died. Their descendants – five generations in some cases – may have inherited an interest in the estate. Not all of these