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COMMONWEALTH OF THE BAHAMAS  
IN THE COURT OF APPEAL  
SCCivApp & CAIS No. 185 of 2018

Malik Momin

Appellant/Intended Respondent

And

February Point Estates Ltd

Respondent/Intended Appellant

(Conditional Leave to JCPC)  
(Rescinded order;  
(Order substituted)

Before: The Hon Mr Justice Isaacs, JA  
The Hon Mr Justice Jones, JA  
The Hon Mr Barnett, JA

Ms Christina Galanos, Counsel for Appellant/Intended  
Respondent  
Ms Candice Hepburn, Counsel for Respondent/Intended  
Appellant

18 November 2019

1 The oral judgment of the court was delivered by  
2 Isaacs, JA:

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4           We had made an order to the effect that the leave  
5 was granted for the intended appellant to go to the  
6 Privy Council provided the sum of \$30,000.00 was paid;  
7 however, when one looks at the rules, there is a fixed amount  
8 of no more than £1000 sterling. The court had made an obvious  
9 error, which it seeks now to correct.

10           Further, we had given the intended appellant 180  
11 days to comply with the order. The court is not able to give  
12 more than 90 days. Therefore, the conditional leave  
13 previously granted is rescinded on the terms that it was  
14 granted, and the court substitutes instead the following:

15           The leave is granted with the following conditions,  
16 that within a period of 90 days from the date hereof, the  
17 applicant do enter into a good and sufficient security in a  
18 sum not exceeding \$2,861.00 for the due prosecution of the  
19 appeal and the payment of all such costs as may become payable  
20 by the applicant in the event of its not obtaining an order  
21 granting final leave to appeal or of the appeal being  
22 dismissed for non-prosecution or of the Judicial Committee  
23 ordering the applicant to pay the costs of the appeal; and  
24 that within 90 days from the date hereof, the applicant shall  
25 take the necessary steps for the purpose of procuring the

1 preparation of the record and the dispatch thereof to England.

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Dated this 18th day of November, 2019

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ISAACS, JA

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