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COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCivApp & CAIS No. 128 of 2021

IN THE MATTER OF the Quieting Titles Act, Chapter 393 of the
Statute Laws of The Bahamas

AND

IN THE MATTER OF ALL THOSE bpieces, parcels or lots of land
consisting of 34.756 acres of the Flowers Estate Subdivision,
being a portion of the 440 acre tract of land granted to
Daniel Driggs by Crown Grant on 22nd July, 1818 and situated
in the Settlement of Driggs Hill in the Southern District of
the Island of Andros, one of the Islands in the Commonwealth
of The Bahamas

AND

IN THE MATTER OF the Petition of Palm Beach Andros Company
Limited, Gerard Maurice Cussen, Rashna Cussen, Gerard Maurice
Cussen and Rashna Cussen in their capacity as lawful attorneys
for James Cussen, Sheena Cussen, Sarosh Nanavarti and
Martin Sumner

Applicants/Intended Appellants

AND

South Andros International Company Limited
Intended First Respondent

AND

Grand Bahama Development Company Limited
Intended Second Respondent

(Mention; Leave to Appeal; Adjournment)

Before: The Hon Sir Michael Barnett, President, Kt
The Hon Mr Justice Isaacs, JA
The Hon Mr Justice Evans, JA

Mr Philip McKenzie, KC, with Ms Glenda Roker,
Counsel for Applicants/Intended Appellants
Mr Damian Gomez, KC, with Mr Owen Wells,
Counsel for Intended First Respondent
Mr Vann Gaitor, with Ms Karen Brown and
Ms Dennise Newton, Counsel for Intended
Second Respondent

15 September 2022

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

3 We are of the view that given the circumstances of
4 this case and inasmuch as all parties seem to be agreed, that
5 the application for leave to appeal out of time should be
6 allowed and the application for leave to appeal will also be
7 allowed.

8 In terms of the disposition of this matter, we are
9 minded that counsel ought to draft a consent order, initialled
10 by all parties, which the court will sign off on, thereby
11 giving the order the court's imprimatur, following which the
12 matter will be disposed of as the parties agree.

13 The matter is adjourned for mention to Thursday,
14 6th October, 2022 at 10:00 a.m.

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17 Dated this 15th day of September, 2022

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ISAACS, JA

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