

IN THE SUPREME COURT OF MAURITIUS

ON THURSDAY 15<sup>TH</sup> NOVEMBER 2012

BEFORE HON. K P MATADEEN, S PJ & HON G. ANGOH, JUDGE

SCR 105136 – 5A/67/11

Radio Plus Ltd

Applicant

v/s

J Gilbert Ithier & Ors

Respondents

IPO

Mr M Choonee

Co-respondent

Mr A Radhakisson, of Counsel, appears replacing Mr C P Ruchpaul for the applicant instructed by Mr Attorney P A Nathoo.

Mr N Dookhee, of Counsel, appears for the respondents instructed by Mrs Attorney A Jeewa.

Mr Y Mohamed SC appears for the co-respondent instructed by Mr Attorney O D Cowreea.

Mr Radhakisson states that Mr Ruchpaul is not in the country and is on medical treatment abroad.

Mr Radhakisson adds that the advice which has been tendered to the applicant by him has not been heeded upon. There is a preliminary objection to be heard today but Mr Radhakisson states that he does not have any points in law to counter the arguments of his learned friend on the non-joinder of the Complaints Committee.

The Court orders that in the circumstances the application is set aside.

Both Mr Dookhee and Mr Mohamed move for costs.

**The Court orders that the application be set aside with costs for the respondents & the co-respondent.**



(D Seebarith)

For Master & Registrar