



IN THE SUPREME COURT OF GRENADA
AND THE WEST INDIES ASSOCIATED STATES
HIGH COURT OF JUSTICE

Submitted Date:09/12/2024 15:47

GRENADA

Filed Date:09/12/2024 15:47

Claim No. GDAHCV2024/

Fees Paid:52.00

B E T W E E N:

IN THE MATTER OF THE WEST INDIES ASSOCIATED
STATES SUPREME COURT ORDER 1967
("THE COURTS ORDER")

AND

IN THE MATTER OF THE JUDICIAL AND LEGAL
SERVICES COMMISSION REGULATIONS
("THE JLSC REGULATIONS")

AND

IN THE MATTER OF THE APPOINTMENT OF EDDY
VENTOSE AS A JUSTICE OF APPEAL OF THE EASTERN
CARIBBEAN SUPREME COURT
("THE APPOINTMENT")

AND

IN THE MATTER OF AN APPLICATION FOR JUDICIAL
REVIEW BY WAY OF A WRIT OF CERTIORARI

BETWEEN:

JAMES A. L. BRISTOL KC

CLAIMANT

AND

THE JUDICIAL AND LEGAL SERVICES COMMISSION

DEFENDANT

AND

EDDY DAVID VENTOSE

INTERESTED PARTY

FIXED DATE CLAIM FORM

The Claimant, **James A. L. Bristol KC**, of L'Anse Aux Epines in the Parish of Saint George in Grenada **CLAIMS AGAINST** the Defendant, **The Judicial and Legal Services Commission** of Castries in Saint Lucia for the following relief:

1. An order of certiorari quashing the decision of The Judicial and Legal Services Commission appointing the Interested Party as a Justice of Appeal of the Eastern Caribbean Supreme Court with effect from the 8th January, 2024, ("the Appointment").
2. Such further and/or other relief as to this Honourable Court shall seem just.

The grounds of the Claim are:

1. The Interested Party did not meet the qualifications for his appointment as a Justice of Appeal as prescribed by Section 5 of the Courts Order in that, as at the date of the Appointment:
 - (i) he had not been a judge for the period of 5 years as required by Section 5(2)(a)(i) of the Courts Order; nor
 - (ii) was he qualified to practice as an advocate and had practised as an advocate for less than 15 years as required by Section 5(2)(a)(ii) of the Courts Order.
2. The Defendant was empowered by Regulation 8 of the JLSC Regulations to consider only persons "eligible" for the Appointment and failed to consider the Interested Party's qualifications as mandated by the said Regulation.
3. The Defendant acted outside its jurisdiction in making the Appointment.

Notice to the Defendant –

The first hearing of this Claim will take place at the High Court No. _____ at York House in the City of Saint George in Grenada on the _____ day of _____ 2024 at 9.00 a.m. in the forenoon.

The Claimant is seeking an Order from the Court as set out in the Claim Form on the basis of the facts or evidence set out in the Statement of Claim or Affidavits filed with it.

You may dispute the Claim by filing and serving on the Claimant an Affidavit in answer at least two days before the date set for the hearing of the Claim.

You may consider obtaining legal advice with regard to this Claim.

You should attend the hearing. If you do not the Judge may deal with the Claim in your absence.

This claim form has no validity if it is not served within 6 months of the date of filing unless it is accompanied by an order extending that time or is a claim form filing pursuant to rule 8.12(2).

The Court Office is at Church Street, St. George's, Grenada, telephone number 440-2030, fax 440-6695. The Office is open between 8.00 a.m. and 4.00 p.m. Monday to Friday except public holidays.

The Claimant's address for service is: Henry, Henry & Bristol of Nos. 4 & 6 Lucas Street, St. George's, Grenada.

Signed

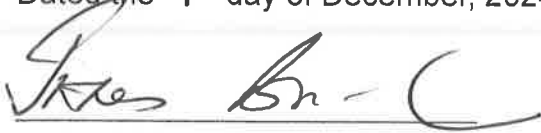


Dylan J. Charles
HENRY, HENRY & BRISTOL
Legal Practitioners for the Claimant

Certificate of Truth

I, James A. L. Bristol KC, the Claimant herein, duly certify that the facts and matters set out in this Fixed Date Claim Form are true.

Dated the 9th day of December, 2024



James A. L. Bristol KC

Claimant

Filed by Messrs. Henry, Henry & Bristol of Nos. 4 & 6 Lucas Street, St. George's, Grenada. Legal Practitioners for the Claimant. Telephone No. 440-2500. Fax No. 440-4128. Email address: mail@bristolgrenadalaw.com.

NOTES FOR DEFENDANT (FIXED DATE CLAIM FORM)

The Claimant is seeking an order from the court as set out in the claim form on the basis of the facts or evidence set out in the statement of claim or affidavit served with it. The Claimant will not be entitled to enter judgment against you without a hearing.

You may:

A. Admit the claim

If so, you should complete and return the form of acknowledgment of service to the court office within 14 days stating this. You may attend the first hearing if you wish to do so.

B. Dispute the claim

If so, you should complete and return the form of acknowledgment of service as under A. You should also file at the court office and serve on the claimant's legal practitioner (or the claimant if the claimant has no legal practitioner):

(a) a defence if the claim form was accompanied by the claimant's statement of claim,
OR

(b) an affidavit in answer if the claim form is accompanied by an affidavit sworn by or on behalf of the claimant within 28 days of the day on which the claim form was served on you.

Your defence or affidavit must set out briefly ALL the facts on which you will rely to dispute the claim made against you.

You should also attend the first hearing. If you do not the judge may deal with the claim in your absence.

A. Make a claim against the claimant

If so, you should complete and return the form of acknowledgment of service as under A. You must file a statement of Claim (a counterclaim) setting out full details of what you claim against the claimant and the facts on which you will rely. This must be done within 28 days of the date on

which the claim form was served on you. The statement of claim should set out ALL the facts on which you rely in disputing any part of the claimant's claim against you.

You should also attend the first hearing. If you do not judge may deal with the claim in your absence.