MALTA

QORTI CIVILI
PRIM'AWLA

ONOR. IMHALLEF
SILVIO MELI

LL.D.; Dip. Stud. Rel.; Dip. Can. Matr. Jur. & Proc.;
Cert. Jur. & H.R. (Strasbourg);
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P.G. Dip. European Law (King's College, London).

Illum it-28 ta' Gunju, 2018.

Rikors Numru 445/2018

M. Demajo (*Wines & Spirits) Limited*

vs.

M.T.V. Food and Beverages Imports Limited

Il-Qorti,

1.0. Rat ir-rikors guramentat datat l-10 ta' Mejju, 2018, li permezz tieghu r-rapprezentant tas-socjeta` rikorrenti sintetikament espona s-segwenti, (ara foll 1);

1.1. Illi s-socjeta` intimata hi debitrici tas-socjeta` rikorrenti fl-ammont ta' hmistax -il elf sebgha u disghin ewro u erba' centezmi, (€15,097.04), bilanc minn somma akbar ghall-merca lilha minnha ikkonsenjata;

1.2. Illi ghalkemm interpellata s-socjeta` intimata baqghet inadempjenti;

1.3. Illi l-istess s-socjeta` intimata m'ghandiex eccezzjonijiet x'tipproduci fir-rigward;

1.4. Illi ghalhekk aderiet din il-qorti biex din:

1.4.1. Tilqa' t-talbiet tas-socjeta` rikorrenti bid-dispensa tas-smigh *ai termini* tal-artiklu 167 tal-Kap 12;

1.4.2. Tikkundanna lis-socjeta` intimata thallas lis-socjeta` rikorrenti l-ammont fuq indikat ta' €15,097.04;

1.4.3. Bl-ispejjez u bl-imghaxijiet legali kif indikati fl-istess rikors guramentat promotur;

2. Rat id-digriet taghha datat iz-17 ta' Mejju, 2018, li permezz tieghu appuntat l-istess procedura ghall-udjenza hemm indikata;

3. Semghet l-ammissjoni tar-rapprezentant tas-socjeta` intimata ghat-talbiet tas-socjeta` rikorrenti;

Ikkunsidrat:

4.0. Illi in vista tal-premess tiddikjara li hi sodisfatta li s-socjeta` rikorrenti ippruvat il-kaz taghha skont il-ligi, u konsegwentement:

DECIDE:

4.1. Tordna li l-procedura tinstema bl-abbrevjazzjoni tat-termini kif mitlub *ai termini* tal-artiklu 167 tal-Kap 12;

4.2. Tikkundanna lis-socjeta` intimata thallas lis-socjeta` rikorrenti l-ammont fuq indikat ta' €15,097.04;

4.3. Bl-ispejjez u bl-imghaxijiet legali kif dedotti fl-istess rikors guramentat promotur kontra s-socjeta` intimata.

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Onor. Imhallef Silvio Meli

DECIZJONI FINALI