



Court of Magistrates (Malta)

**APPLICATION NR. 69/2021: STEPHAN HOLZAPFEL (ID. 83383A) V.
ISAAC CAMILLERI (ID. 376596M)**
(AMOUNT DUE - ADMISSION)

MAGISTRATE: DR. VICTOR G. AXIAK

21 June 2021

THE COURT,

having seen the application filed by Stephan Holzapfel ("the claimant") on 24 March 2021,

having seen that in the sitting held on 14 June 2021, Isaac Camilleri ("the respondent") appeared personally and declared in open court that he was admitting the claims in full and unconditionally¹,

gives the following

Judgment

1. In his application, the claimant requested payment of the sum of eight thousand four hundred euro (€ 8,400) from the respondent representing an amount loaned "*brevi mano*" to the said respondent on 1 July 2020, upon the latter's request, who on his part failed to repay this amount back when due having been called upon to do so by the claimant. The claimant also requested payment of costs incurred in connection with these proceedings and with the garnishee order filed to secure the claim as well as payment of legal interest.

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2. In the sitting held on 14 June 2021, the respondent appeared personally and declared in open court that he was admitting the claims in full and unconditionally.
3. In these circumstances the principle *confessio facta in judicio omni probatione major est* applies and the Court considers claimant's claims to be proven to the extent required by law.

Decision

4. **For these reasons the Court accepts the claimant's claims, declares that the respondent owes the claimant the sum of eight thousand four hundred euro (€ 8,400) representing an amount loaned to him "brevi mano" on 1 July 2020 and condemns the respondent to pay this amount to the claimant together with legal interest and the costs incurred in connection with this claim and with the garnishee order filed contextually therewith.**

V.G. Axiak
Magistrate

Y. M. Pace
Dep. Registrar