



MALTA

**QORTI CIVILI  
PRIM' AWLA**

**ONOR. IMHALLEF  
GIANNINO CARUANA DEMAJO**

Seduta tas-16 ta' Gunju, 2005

Citazzjoni Numru. 274/2005

**Ambrose Muscat**

**Vs**

**Constantin Anastasiou**

The Court,

Having seen the writ of summons whereby plaintiff declared that:

Whereas by means of a writing of the seventh (7) of January of the year two thousand and five (2005), the defendant Constantin Anastasiou acknowledged that he was debtor of the plaintiff Ambrose Muscat in the true, liquidated and certain sum of thirty-five thousand Maltese

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Liri (Lm35,000) as resulting from the document annexed and marked as Dok. A, and that the same defendant obliged himself to pay plaintiff the sum of eight thousand Maltese Liri (Lm8,000) by the 12<sup>th</sup> of February 2005;

Whereas by the date of filing of the writ of summons, the defendant paid the plaintiff the sum of two thousand and ninety-five Maltese Liri (Lm2,095);

Whereas the defendant obliged himself to pay the remaining balance in the sum of thirty-two thousand, nine hundred and five Maltese Liri (Lm32,905) by the tenth (10) of March 2005, but that, notwithstanding this, defendant still failed to pay;

Whereas the defendant is debtor to the plaintiff in the sum of thirty-two thousand, nine hundred and five Maltese Liri (Lm32,905), which sum is today due as a whole;

Having seen also that in the same writ plaintiff requests that this Court:

1. Declare the defendant Constantin Anastasiou debtor of the plaintiff Ambrose Muscat in the sum of thirty-two thousand, nine hundred and five Maltese Liri (Lm32,905);
2. Condemn the defendant Constantin Anastasiou to pay the plaintiff Ambrose Muscat the som of thirty-two thousand and nine hundred and five Maltese Liri (Lm32,905) together with costs, including those of the warrant of seizure filed together with the writ of summons, and interests from the twelfth (12) of February of the year two thousand and five (2005) to the date of the effective payment;

Having seen also the affidavit sworn by the plaintiff and all the documents and pleadings in the records.

Having seen that the writ of summons and the notice of hearing were served on to the defendant according to law.

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Having seen that defendant failed to show a good and sufficient reason to be allowed to contest the claim.

Whereas articles 167 and following of the Code of Civil Procedure provide that judgement is to be delivered today without proceeding to a further hearing, and in view of defendant's failure to show sufficient reason for being allowed to contest the claim, the Court delivers judgement by granting the claims made in the writ of summons. Expenses are to be paid by defendant.

**< Sentenza Finali >**

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