MALTA

TRIBUNAL GHAL TALBIET ZGHAR

GUDIKATUR DR.
JOSEPH BONNICI

Seduta tad-9 ta' Jannar, 2006

Talba Numru. 755/2004

Atlas Insurance Agency Limited in rappresentanza tas-socjeta estera AXA Insurance plc kif surrogati fid-drittijiet tal-assigurat taghha Avantgarde Jile & Stone Ltd abbazi tal-polza ta' assigurazzjoni u tal-ligi

Vs

John Abela Limited

It-Tribunal,

Ra t-talba tas-socjeta` konvenuta ghal kjamata fil-kawza tas-socjetajiet Sea Malta Company Limited u Millenium Insurance Agency Limited.

Is-socjeta` Sea Malta Company Limited kienet is-sid tal-vapur MV Zebbug li fuqhu tghabbha l-container bil-merkanzija tal-assigurat tas-socjeta` attrici li eventwalment ghamlet fronti ghad-danni sofferti.

Is-socjeta` Millenium Insurance Agency Limited hija s-socjeta` assikuratrici tas-socjeta` konvenuta. Dina ma ghandha l-ebda relazzjoni giuridika mas-socjeta` attrici u/jew l-assigurat taghha. Hija res inter alios acta.

Fir-rigward tas-socjeta` Sea Malta Company Limited, qed jigi allegat mis-socjeta` konvenuta li l-hsara reklamata giet kagunata waqt it-tragitt. Allura huwa fl-interess sia tas-socjeta` attrici u sia tas-socjeta` li tigi kjamata fil-kawza ghax jista jkun jkollhs tirrisponbdi hija stess.

It-Tribunal jilqa` t-talba ghal kjamata fil-kawza ta' Sea Malta Company Limited, izda jichad it-talba fil-konfront tal-Millenium Insurance Agency Limited.

Spejjes rizervati ghal gudizzju finali.

< Sentenza In Parte >

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