



## **TRIBUNAL GHAL TALBIET ZGHAR**

**GUDIKATUR DR.  
DEBORAH MIFSUD ATTARD**

Seduta tat-12 ta' Frar, 2013

Talba Numru. 680/2012

**Paul Slater  
I.D. 24014A  
Vs  
Seifert Angele**

### **The Tribunal;**

After having considered the claim submitted by Paul Slater on the 28<sup>th</sup> of September, 2012 by means of which he requests the Tribunal to condemn the defendant to pay the sum of one hundred eighty eight euro and eighty cents after defendant reversed out of side slot into the claimant's rear door while he was reversing out of the car park adjacent to Msida Greek.

After having considered the defendant's reply filed on the 29<sup>th</sup> November, 2012 whereby he pleads that preliminarily, the respondent states that this action does not fall within the competence of this Tribunal, and this in the light of Chapter 387 of the laws of Malta, which states that in circumstances where material damages result from

Kopja Informali ta' Sentenza

a motor vehicle accident, the Malta Arbitration Centre will have the sole and exclusive competence to hear such proceedings.

Also, without prejudice to the above premised the plaintiff's claims should be rejected given the fact that the respondent was not responsible for the accident which occurred in the 12<sup>th</sup> April, 2012.

In view of the above, the plaintiff's claim for the payment of damages should be rejected. In any case and without prejudice to the foregoing, the plaintiff's claim is being contested and thus, claimant must produce all evidence according to law to substantiate his claim.

After having heard both the claimant and the defendant's lawyer and after having taken into consideration all circumstances of the case.

For the above reasons the Tribunal hereby declares that this Tribunal is not competent to decide this case and therefore abstains from taking this claim into further consideration.

**< Sentenza Finali >**

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