



MALTA

QORTI CIVILI

PRIM' AWLA

ONOR. IMHALLEF

JOSEPH ZAMMIT MC KEON

Seduta tal-11 ta' Novembru, 2014

Rikors Numru. 642/2012/2

Suzanne Busuttil, karta tal-identita` numru 19076(M) u Brian Busuttil, karta tal-identita` numru 525373(M) f'ismu proprju u bhala Direttur f'isem u in rapprezentanza ta` Stealth Holdings Limited, C26763

kontra

1) Francis Busuttil & Sons Limited, C334 ; 2) B&S Contractors Limited, C552 ; 3) Franco Busuttil ID11461(M) ; 4) Michael Busuttil ID51261(M) ; 5) Joseph Busuttil ID90968M ; 6) Christian Busuttil ID199278M ; u 7) Jean Paul Busuttil ID102172M, ilkoll fil-kwalita` taghhom kollha bhala diretturi f'isem Francis Busuttil & Sons Limited u B&S Contractors Limited, hliet Franco Busuttil li ma huwiex Direttur ta` B&S Contractors Limited u Jean Paul Busuttil li ma huwiex direttur ta` Francis Busuttil & Sons Limited u fil-kwalita` taghhom bhala azzjonisti ta` Francis Busuttil & Sons Limited u/jew B&S Contractors Limited hliet Jean Paul Busuttil li ma huwiex azzjonist fiz-zewg kumpaniji ; 8)

Rebecca Darmanin Kissaun ID 54472M, 9) Natasha Busuttil ID 317370M, 10) Paul Busuttil ID695058M, 11) Joanna Decesare ID 412357M, 12) Mary Ann Lanzon ID 555155M, 13) Roberta Pecci Busuttil ID 809060M, 14) Clarissa Pace ID 521963M, 15) T&L Holdings Limited C8054, 16) Maria Schaerrer Busuttil (Passaport Svizzeru 5115194), 17) Simone Pace Busuttil ID 192157M, 18) Sealex Holdings Co Ltd C14190, 19) Mavel Holdings Co Ltd C16864, 20) Antonia Busuttil ID 51231M, 21) Bag Investments Limited, C14189, 22) Yan Co Limited, C11586, 23) B.C. Investments Limited, C8063, 24) The Estate of the late Charles Busuttil, lkoll fil-kwalita` taghhom bhala azzjonisti ta` Francis Busuttil & Sons Limited u/jew B&S Contractors Limited; u ghal kull interess li jista` jkollhom 25) Foster Clark Products Limited (C803) ; 26) Francis Busuttil & Sons (Marketing) Limited (C24137); 27) B&S Exports Limited (C16946) ; 28) B&S Manufacturing Limited (C16941) ; 29) Chris Degiorgio ID70456(M) bhala direttur ta` Foster Clark Products Limited u ta` Francis Busuttil & Sons (Marketing) Limited

Il-Qorti :

Illi fil-25 ta` Lulju 2014, Suzanne Busuttil u Brian Busuttil pro et noe (“ir-rikorrenti”) ipprezentaw rikors fejn, wara li ghamlu riferenza ghal rikors iehor taghhom prezentat fl-istess gurnata bin-Nru 642/12/3, talbu lill-Qorti sabiex taghti *interim order* fis-sens illi sakemm jigi dekretat ir-rikors bin-Nru 642/12/3 ma jsirx il-*bejgh u trasferiment ta` l-operazzjonijiet tal-B&S Contractors Group (B&S), jigifieri l-operazzjonijiet kummercjali ta` B&S Manufacturing Limited u ta` B&S Exports Limited.*

Illi b`digriet taghha tal-31 ta` Lulju 2014, din il-Qorti ordnat in-notifika tar-rikors lill-kontroparti u filwaqt illi tathom sebat ijiem zmien biex iwiegbu, irriservat li tkompli tipprovdi `l quddiem.

Illi fit-8 ta` Awissu 2014, l-intimati kollha pprezentaw risposta fejn, ghar-ragunijiet hemm spjegati, talbu lill-Qorti sabiex tichad it-talba tar-rikorrenti.

Kopja Informali ta' Sentenza

Illi fl-4 ta' Settembru 2014, il-Qorti tat digriet iehor fejn appuntat ir-rikors ghas-smigh ghall-udjenja tat-2 ta' Ottubru 2014.

Illi wara li semghet is-sottomissjonijiet li ghamlu d-difensuri ghan-nom tal-assistiti taghhom, il-Qorti halliet ir-rikors ghal provvediment ghal-lum.

Ikkunsidrat :

Illi propju llum il-Qorti tat provvediment dwar ir-rikors bin-Nru 642/12/3 u ghalhekk qeghda taghmel riferenza ghad-dettalji ta' dak il-provvediment ghall-fini ta' dan il-provvediment.

Ghall-istess ragunijiet moghtija fir-rikors Nru 642/12/3, din il-Qorti qeghda tichad it-talba tar-rikorrenti kif dedotta. Ir-riservi espressi mill-Qorti fil-provvediment taghha dwar ir-rikors Nru 642/12/3 jibqghu veljanti anke ghall-fini ta' dan il-provvediment. L-ispejjez ta' dan il-provvediment jibqghu riservati ghall-gudizzju finali dwar il-kawza fil-mertu bejn il-partijiet.

< Sentenza Finali >

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