



MALTA

TRIBUNAL GHAL TALBIET ZGHAR

GUDIKATUR DR.

VINCENT GALEA

Seduta tat-18 ta' Gunju, 2014

Talba Numru. 310/2014

Paul Francis Lovelady [ID. Card Number 0072469A]

Vs

Mahmoud Said Reda [ID. Card Number 0021954A]

The Tribunal,

Having seen the claim put forward by Claimant on the 6th of May, 2014 whereby he requested the Respondant to pay the sum of three thousand four hundred and ninety four euro [€3,494] and this after having premised:

“Il-kerrej ghandu kirja ghall-perjodu kollu li tiddikjara l-ammont li ghandu jhallas kull xahar. Fuq 2013/11/09 il-kerrej iffirmat konferma ta' l-ammont tad-dejn pendenti f'dak il-hin. Minn dakinhar id-dejn z'died u ripagamenti ma jkunux gew miżmuma skond skeda miftiehma tar-rimborz.

Fl-2012 il-kerrej talab biex tiddiferixxi hlasijiet tal-kra filwaqt li jirritornaw lejn l-Egittu biex jattendu għall-omm morda tieghu. Hu ma tridx tiffert appartamenti tieghu meta l-bogħod iżda huwa ma tistax taffordja li thallas il-kera. I qablu dwar il-kondizzjoni – dejn kien lura fil-pront fuq ritorn tieghu lejn Malta. Il-hlasijiet lura gew erratiku u dalwaqt titwaqqaf. Minn dakinhar id-dejn żdied bhala hlasijiet lura tad-dejn tkompli tkun arratic. Il-kerrej għandu xogħol permanenti iżda xorta thallas biss meta hu jhoss bhalu. I taw l-kerrej sentejn lura tad-dejn. I issa lahqu l-punt fejn l dubju l-kerrej se lura tad-dejn sakemm mgieghla jagħmlu hekk mill-sekwestru legali ta' qligh tieghu permezz payroll min ihaddmu”.

Having seen that the Respondant despite being notified on the 13th of May, 2014 did not file the relative reply. Having said this, the Tribunal notes that on the 18th June, 2014 (fol. 9) the Respondant appeared before it and declared under oath that he owed Claimant the sum of three thousand four hundred and ninety four euro [€3,494] by way of arrears of rent.

Having seen that the Claimant declared under oath that the amount mentioned in the claim referred to rent due for the period between the 1st September 2012 uptill the 28th February 2014.

Having seen the note dated 18th June, 2014 whereby the claim was adjourned for judgement for today.

Having heard the parties;

Having seen the acts;

Considers:-

1. By means of this claim, Claimant is requesting from the Respondant the sum of €3,494 for rent due for the period 1st September, 2012 till the 28th February, 2014.

Considers;

2. **The Respondant** admitted under oath that he owes the Claimant the sum of €3,494 by way of rent for the period 1st September, 2012 till the 28th February, 2014.

Further considers;

3. In view of the fact that the Respondant admitted to the Claim put forward by the Claimant, the Tribunal has no other option than to find against the Respondant and declares that the Respondant owes the Claimant the sum of three thousand four hundred and ninety four euros (€3,494) by way of arrears of rent for the period 1st September, 2012 till the 28th February, 2014.

THUS, having taken everything into consideration the Tribunal, decides this case by acceding to Claimant's request and thus orders the Respondant to pay to the Claimant the sum of three thousand four hundred and ninety four euros (€3,494) together with interests which are to start running from today according to law.

All the expenses are to be borne by the Respondant.

< Sentenza Finali >

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