

Fil-Prim' Awla tal-Qorti Civili



Fl-Atti tas-Subbasta Numru 36/2024 fl-Isnijiet:

35°14° Capital SCC plc C 105417

u

Pierre Debono KI 580776M et

Relazzjoni tal-Perit Tekniku

Perit Martin DeBono

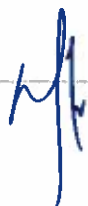


Jesponi bir-rispett:

**PRELIMINARI**

1. Illi b'digriet moghti lilu nhar it-tnax (12) ta' Marzu 2025, l-esponenti gie nominat bhala perit tekniku fil kawza numru 36/2024 fl-ismijiet 35°14° Capital SCC plc C 105417 vs Pierre Debono KI 580776M et u dan sabiex 'jagħmel deskrizzjoni u stima tal-fond indikat', li jinkludi:

- a.) Indikazzjoni tas-sit u l-gholi tal-fond li hu soggett għall-bejgh bl-irkant fil-Qorti,
- b.) Pjanta jew skizz li juru l-ghadd ta' kmamar li jiffurmaw il-fond u d-daqs tagħhom,
- c.) Pjanta tar-Registru tal-Artijiet u Schedule 8 (meta tkun residenza),
- d.) Rapport dwar jekk il-fond ġiex mibni skont permessi tal-bini u regoli sanitarji,
- e.) Kopja tal-att tal-akkwist,
- f.) Dikjarazzjoni dwar jekk il-fond hu abitat jew okkupat minn terzi, u taħt liema titolu hu hekk okkupat.



## **RIZULTANZI**

### **1. DWAR IL-VALUR TAL-FOND FL-ISTAT LI JINSAB ILLUM**

1.1 Illi fl-ewwel lok, il-perit sottoskrit ser jghaddi biex jaghti valur tal-fond ufficjalment bin-numru tnejn u erbghin (42) bl-isem 'Java' u l-garaxx ufficjalment bin-numru erbghin (40), liema garaxx jifforma parti mal-istess fond, fi Triq il-Ghajn, is-Swieqi;

1.2 Pjanta li turi t-tqassim ta' dan il-fond flimkien ma' numru ta' ritratti li ttiehdu dakinhar tal-access li nzamm nhar il-hamsa (5) ta' Mejju 2025 qed jigu nkorporati f'Dokument RM1 u pjanta li turi l-propost zvilupp li jista' jsir fuq is-sit qed tigi nkorporata f'Dokument P1 fl-anness;

1.3 Illi l-fond jinsab imqassam hekk kif gej;

#### **1.3.1 PJAN TERRAN**

1.3.1.1 Minn Triq il-Ghajn issib ruhek f'parapett miksi bl-irham u li fih jinkorpora tarag li jwasslek sal-bieb ta' barra;

1.3.1.2 Il-bieb imsemmi f'paragrafu 1.3.1.1 *supra* jipprovdi access ghall-entrata li fiha tinkorpora tarag li jwasslek sal-ewwel sular u iehor li jwasslek ghas-sular taht l-art;



**1.3.1.3 L-entrata imsemmija f'paragrafu 1.3.1.2 *supra* tipprovdi access ghal:**

**1.3.1.3.1 *Sitting Room* li tiehu d-dawl mill-faccata tad-dar;**

**1.3.1.3.2 *Living Room* li ghandha access wkoll mis-*Sitting Room* imsemmija f'paragrafu 1.3.1.3.1 *supra*;**

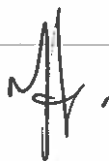
**1.3.1.3.3 Kcina li tiehu d-dawl mill-gnien ta' wara tal-fond;**

**1.3.1.3.4 Kamra bil-facilitajiet sanitarji (w/c, sink u shower) li tiehu d-dawl minn xaft intern;**

**1.3.1.4 Il-kcina msemmija f'paragrafu 1.3.1.3.3 *supra* tipprovdi access ghal *dining room* li ghandha access wkoll mill-*living room*;**

**1.3.1.5 Id-*dining room* msemmija f'paragrafu 1.3.1.4 *supra* tipprovdi access ghal gnien li jinsab fuq wara tal-fond;**

## **1.3.2 L-EWWEL SULAR**



1.3.2.1 It-tarag imsemmi f'paragrafu 1.3.1.2 *supra* iwasslek sa kuridur 1;

1.3.2.2 Il-kuridur 1 imsemmi f'paragrafu 1.3.2.1 *supra* jiprovdi access ghal:

1.3.2.2.1 *Bedroom 1* li tiehu d-dawl minn tieqa miftuha fuq gallarija mal-faccata;

1.3.2.2.2 *Bedroom 2* li tiehu d-dawl minn bieb li jiftah fuq il-gallarija imsemmiha f'paragrafu 1.3.2.2.1 *supra*.

1.3.2.2.3 Kamra tat-tarag li fiha tinkorpora tarag li jwaslek sat-tieni sular;

1.3.2.2.4 *Bedroom 3* li tiehu d-dawl minn bieb li jiftah fuq terrazzin fuq wara tal-fond;

1.3.2.2.5 Kamra bil-facilitajiet sanitarji (w/c, sink u banju) li tiehu d-dawl minn tieqa fuq wara tal-fond;

### 1.3.3 IT-TIENI SULAR



1.3.3.1 It-tarag imsemmi f'paragrafu 1.3.2.2.3 *supra* iwasslek sa kamra tat-tarag li tiehu d-dawl minn tieqa miftuha fuq il-bejt ta' dan il-fond;

1.3.3.2 Il-kamra tat-tarag imsemmija f'paragrafu 1.3.3.1 *supra* tiprovdi access ghal *washroom*;

1.3.3.3 Il-*washroom* imsemmija f'paragrafu 1.3.3.2 *supra* tiprovdi access għall-bejt ta' dan il-fond imsemmi f'paragrafu 1.3.3.1 *supra*;

#### 1.3.4 L-EWWEL SULAR TAHT L-ART

1.3.4.1 It-tarag imsemmi f'paragrafu 1.3.1.2 *supra* iwaslek sal-garaxx;

1.3.4.2 Il-garaxx imsemmi f'paragrafu 1.3.4.1 *supra* jiprovdi access għal:

1.3.4.2.1 Store li jiehu d-dawl d-dawl minn xaft intern;

1.3.4.2.1 Xaft intern;



1.4 Illi l-fond kien jinsab fi stat *furnished* u deher ben mantnut;

1.5 Is-soqfa tal-fond kellhom hsara evidenti f'diversi postijiet;

1.6 Illi l-art tal-fond tikkonsisti fil-mod kif gej:

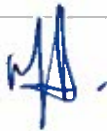
1.6.1 Salv ghal kif ser jinghad fil-paragrafi li jmiss, l-art tal-pjan terran hija ccangjata bic-ceramika;

1.6.2 Il-parapett u t-tarag imsemmi f'paragrafu 1.3.1.1 *supra* huwa miksi bl-irham;

1.6.3 Kemm l-art kif ukoll il-hitan tal-kamra bil-facilitajiet sanitarji msemmija f'paragrafu 1.3.1.3.4 *supra* huma ccangjati bic-ceramika;

1.6.4 Il-gnien li jinsab fuq wara tal-fond imsemmi f'paragrafu 1.3.1.5 *supra* huwa ccangjat bic-ceramika salv ghal parti sostanzjali fejn hemm il-hamrija;

1.6.5 It-tarag imsemmi f'paragrafu 1.3.1.2 *supra* huwa miksi bl-irham;



1.6.6 Salv ghal kif ser jinghad fil-paragrafi li jmiss, l-art tal-ewwel sular hija ccangjata bic-ceramika;

1.6.7 Kemm l-art kif ukoll il-hitan tal-kamra bil-facilitajiet sanitarji msemija f'paragrafu 1.3.2.2.5 *supra* huma ccangjati bic-ceramika;

1.6.8 Il-gallarija msemija f'paragrafu 1.3.2.2.1 *supra* hija ccangjata bic-ceramika;

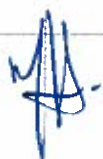
1.6.9 It-terrazzin fuq wara tal-fond msemmi f'paragrafu 1.3.2.2.4 *supra* huwa ccangjat bic-ceramika;

1.6.10 It-tarag imsemmi f'paragrafu 1.3.2.2.3 *supra* huwa miksi bl-irham;

1.6.11 L-art tat-tieni sular hija ccangjata bic-ceramika;

1.6.12 L-art tal-ewwel sular taht l-art hija ccangjata bic-ceramika;

1.7 L-aperturi jikkonsistu fis-segwenti:



**1.7.1 Fuq il-faccata tal-fond:**

**1.7.1.1 Fil-pjan terran hemm bieb bi *frame* tal-injam u tieqa bi *frame* tal-aluminju;**

**1.7.1.2 Fl-ewwel sular hemm tieqa bi *frame* tal-aluminju kif ukoll bieb bi *frame* tal-aluminju li jaghtu ghal fuq gallarija miftuha b'ilqugh ta' gebel u aluminju;**

**1.7.1.3 Fl-ewwel sular taht l-art hemm tieqa bi *frame* tal-aluminju kif ukoll bieb ta' garaxx bi *frame* tal-aluminju;**

**1.7.2 Fl-intern tal-fond:**

**1.7.2.1 Fil-pjan terran hemm tieqa bi *frame* tal-aluminju li taghti ghall-ambjent intern tal-fond, tieqa bi *frame* tal-injam li taghti ghall-ambjent estern tal-fond, kif ukoll bieb bi *frame* tal-injam li jaghti ghall-ambjent estern tal-fond;**

**1.7.2.2 Fl-ewwel sular hemm tieqa bi *frame* tal-injam li taghti ghall-ambjent intern tal-fond, tieqa bi *frame* tal-injam li taghti ghall-ambjent estern tal-fond, kif ukoll bieb bi *frame* tal-aluminju li jaghti ghall-ambjent estern tal-fond;**



1.7.2.3 Fit-tieni sular hemm zewgt itwieqi bi *frame* tal-metall, kif ukoll bieb bi *frame* tal-metall li jaghtu għall-ambjent estern tal-fond;

1.7.2.4 Fl-ewwel sular taht l-art hemm tieqa bi *frame* tal-aluminju u bieb bi *frame* tal-aluminju li jaghtu għall-ambjent intern tal-fond;

1.8 L-istruttura fuq gewwa hija mizbugha filwaqt li il-faccata hija fuq il-fil;

1.9 F'termini ta' firxa f'metri kwadri, irrizulta s-segwenti;

1.9.1 Il-pjan terran jokkupa erja ta' *circa* 175 metri kwadri (*circa* 23 metri kwadri attinenti għall-*front garden*, *circa* 55 metri kwadri attinenti għall-gnien);

1.9.2 Is-sulari sovrapposti jokkupaw erja ta' *circa* 109 metri kwadri rispettivament (din l-erja tinkludi t-terazzini fejn aplikabbli izda teskludi x-xaft intern;

1.10 Illi in aggjunt, jizdiedu jsiru dawn l-osservazzjonijiet:

1.10.1 L-istat tal-finituri huwa wiehed abitabli mma għandu bżonn manutenzjoni estensiva;



1.10.2 Mill-ewwel daqqa t'ghajn, kien jidher li is-soqfa tal-fond kellhom hsara evidenti f'diversi postijiet, kif ukoll hsara f'partjiet mill-art u l-hitan, jista' jkun rizultat minn caqlieq fil-bini meta sar diversi zvilupp minn terzi fil-vicin. Din hija evidenti minn diversi konsenturi u caqliq fil-madum speċjalment fis-sular terran. Hemm ukoll problemi strutturali fil-pjan ta' fuq speċjalment fit-terrazzin ta' wara. Jidher li dawn il-problemi ma gewx indirizzati ghax is-sid kien qieghed jippjana biex jaghmel zvilupp totali tar-residenza u tal-garaxx. Infatti, hareg permess mill-Awtorita tal-Ippjanar f'dan ir-rigward;

1.10.3 Skont il-Pjan Lokali relattiv (*North Harbour Local Plan*), f'dan is-sit jista' jinbena zvilupp sa *3 floors with semi-basement*, liema Pjan Lokali huwa anness Map SW4;

1.10.4 Il-fond jidher li gie mibni skont permessi tal-bini u regoli sanitarji, u permezz tal-permess ta' zvilupp li gie applikat ghalih fuq l-istess fond, jaghti indikazzjoni li fil-bini ezistenti ma kien hemm xejn irregolari jew li hu mibni kontra l-ligi tal-bini;

1.10.5 Jekk il-fond jinxtara minn terzi, jista' jkun il-kaz li jkun hemm xi spejjez ta' perit speċjalment jekk isir l-izvilupp propost skont il-permess mill-Awtorita' tal-Ippjanar (PA/07266/23);

1.10.5 Il-fond huwa abitat mis-sid tieghu stess;



1.11 Illi l-fond ghaddej minn procedura biex johroglu permess finali ta' zvilupp deskritt hekk kif  
gej:

1.11.1 B'verifici mal-website tal-Awtorita' tal-Ippjanar, jidher li l-bini ghaddej minn procedura  
biex johroglu permess ta' zvilupp, b'kodici ta' referenza (PA/07266/23);

1.11.2 Liema permess ghandu 'Non-Executable – Full Development Permission', li skont is-sid  
jirrikjedi xi garanzija bankarja jew dokumenti ohra biex jigi ffinalizzat;

1.11.3 Liema zvilupp jikkonsisti fi twaqqigh tal-bini ezistenti, skavar, u zvilupp ta' tliet garaxxijiet,  
*maisonette*, tliet appartamenti u *penthouse*;

1.11.4 Liema zvilupp ikun mqassam hekk kif gej:

1.11.4.1 L-Ewwel Sular Taht l-Art: jikkonsisti f'rampa komuni li twassal ghal tliet  
garaxxijiet separati (*lock-up*), kif ukoll hemm access ghat-tarag u l-lift komuni li jwasslu ghall-bqija  
tas-sulari fil-blokka;

1.11.4.2 Pjan Terran: jikkonsisti f'*maisonette* li ghandu access separat mit-triq, li  
jikkonsisti f'*kitchen/dining/living* fuq quddiem tal-fond, xaft intern f'nofs il-fond, *laundry* u  
*bathroom* li jiehdu d-dawl mill-istess xaft msemmi, zewg *bedrooms* fuq wara tal-fond, fejn wahda

minnhom ghandha wkoll *ensuite* li tiehu d-dawl minn xaft intern iehor, kif ukoll bitha fuq wara tal-fond li l-access taghha huwa miz-zewg *bedrooms*. B'access separat mit-triq jinsab il-komun li fih hemm kemm tarag u kemm *lift* li jwasslu ghall-bqija tas-sulari fil-blokka;

1.11.4.3 L-Ewwel / It-Tieni / It-Tielet Sular: jikkonsistu fi tqassim identiku ghal xulxin, li jikkonsisti mill-access komuni tat-tarag u l-lift, u appartement li ghandu *kitchen/dining/living* fuq quddiem tal-fond, gallarija fuq quddiem tal-fond, *bedroom* u *bathroom* f'nofs il-fond li jiehdu d-dawl minn xaft, zewg *bedrooms* fuq wara tal-fond, fejn wahda minnhom ghandha wkoll *ensuite* li tiehu d-dawl minn xaft intern iehor, kif ukoll gallarija fuq wara tal-fond li l-access taghha huwa miz-zewg *bedrooms*;

1.11.4.4 Ir-Raba' Sular: jikkonsisti f'*penthouse* li ghandha *kitchen/dining/living* fuq quddiem tal-fond, terrazzin fuq quddiem tal-fond, *bathroom* f'nofs il-fond li jiehu d-dawl minn xaft, , *study* fuq wara tal-fond, *bedroom* fuq wara tal-fond li ghandha wkoll *ensuite* li tiehu d-dawl minn xaft intern iehor, kif ukoll terrazzin fuq wara tal-fond li l-access tieghu huwa mill-*bedroom* u mill-*study*;

1.12 Meta l-esponenti kkunsidra l-fatturi rilevanti kollha, inkluz it-tip ta' proprjeta' u l-prezz tas-suq ta' proprjetajiet ohra simili fil-madwar, hija l-fehma tal-istess esponenti li l-valur kumplessiv tal-fond ufficjalment bin-numru tnejn u erbghin (42) bl-isem 'Java' jammonta ghal prezz ta' *circa* € 900,000 (disgha mitt elf ewro) u li l-valur kumplessiv tal-fond ufficjalment bin-



**Adrian Mallia**  
**Deputat Registratur**

## **ELENKU TAD-DOKUMENTI**

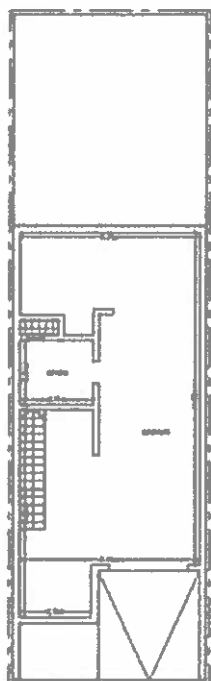
**Dokument RM1 -        Pjanta li turi t-tqassim tal-fond u ritratti li ttiehdu waqt l-access**

**Dokument P1 -        Pjanta tal-propost skont il-permess (PA/07266/23)**

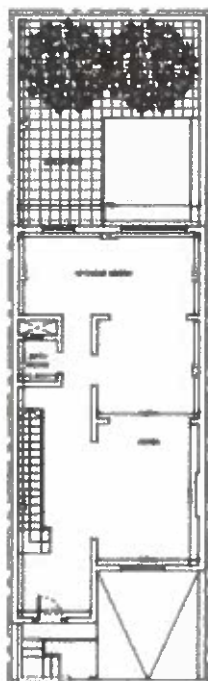
**Dokument Map SW4 -   North Harbours Local Plan**

## DOKUMENT RM1

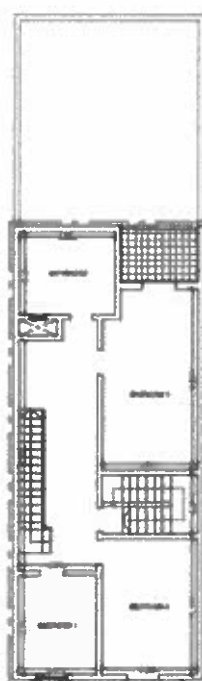
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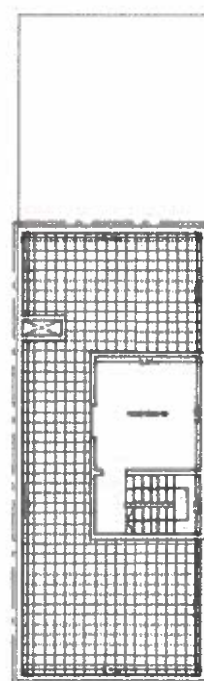
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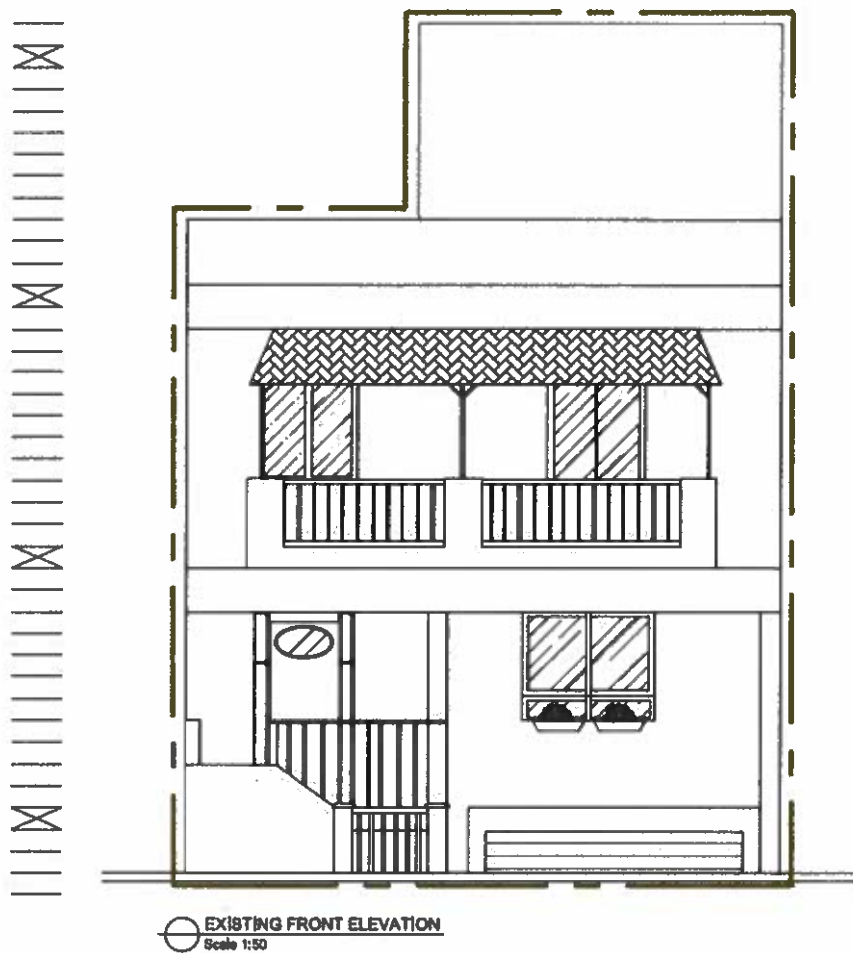


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Pjanta li turi t-tqassim tal-fond



Faccata tal-fond



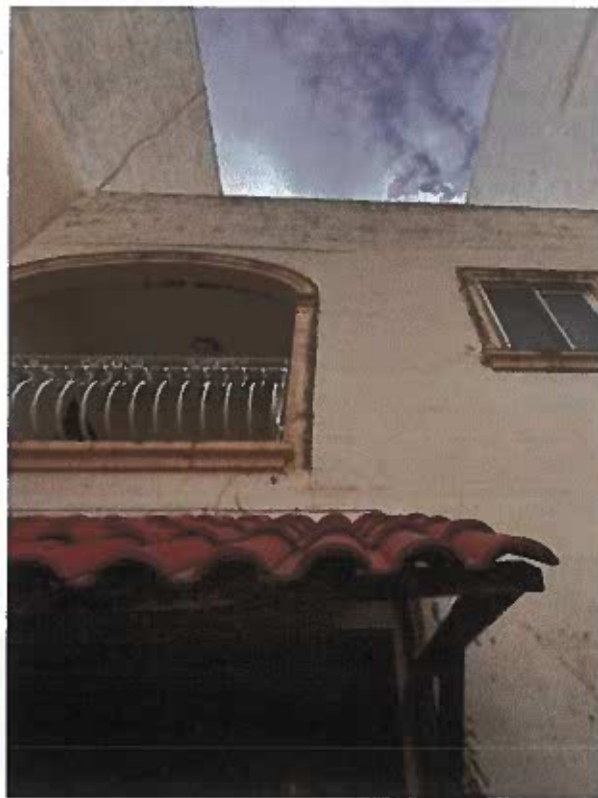
Ritratti li ttieħdu waqt l-access



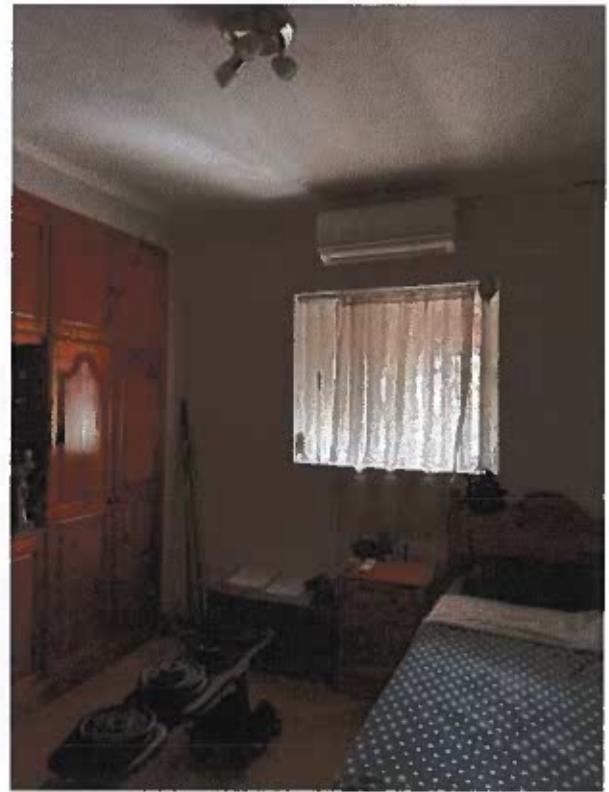
Ritratti li ttieħdu waqt l-access



Ritratti li ttieħdu waqt l-access



Ritratti li ttieħdu waqt l-access



Ritratti li ttieħdu waqt l-access



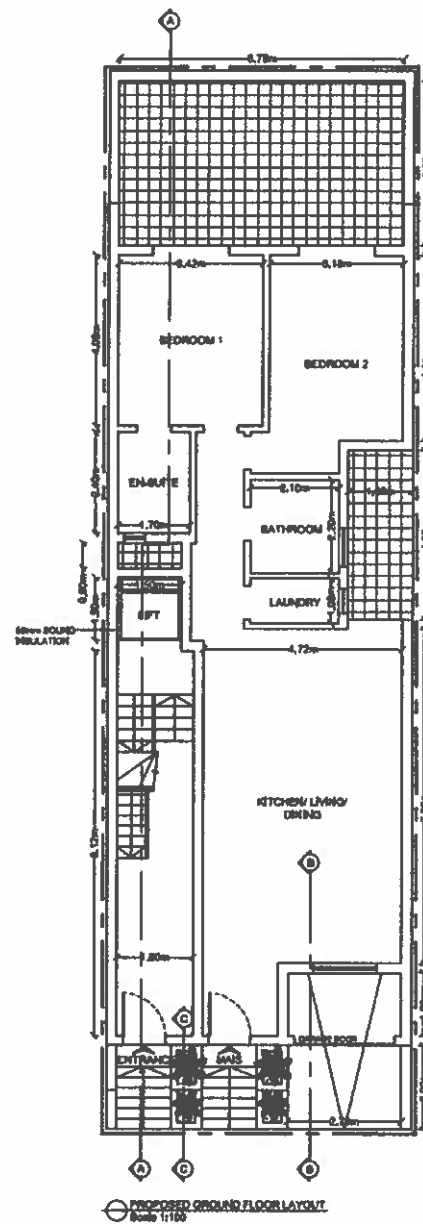
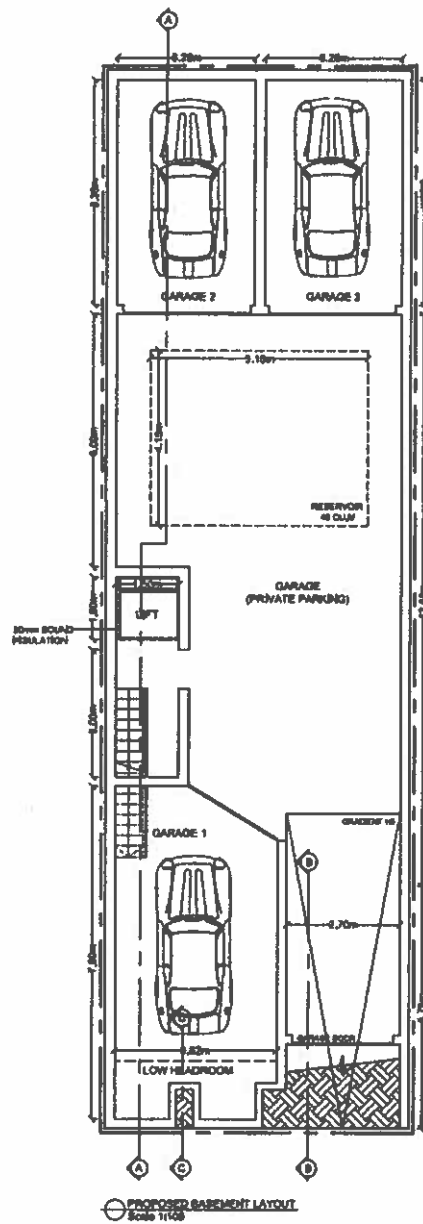
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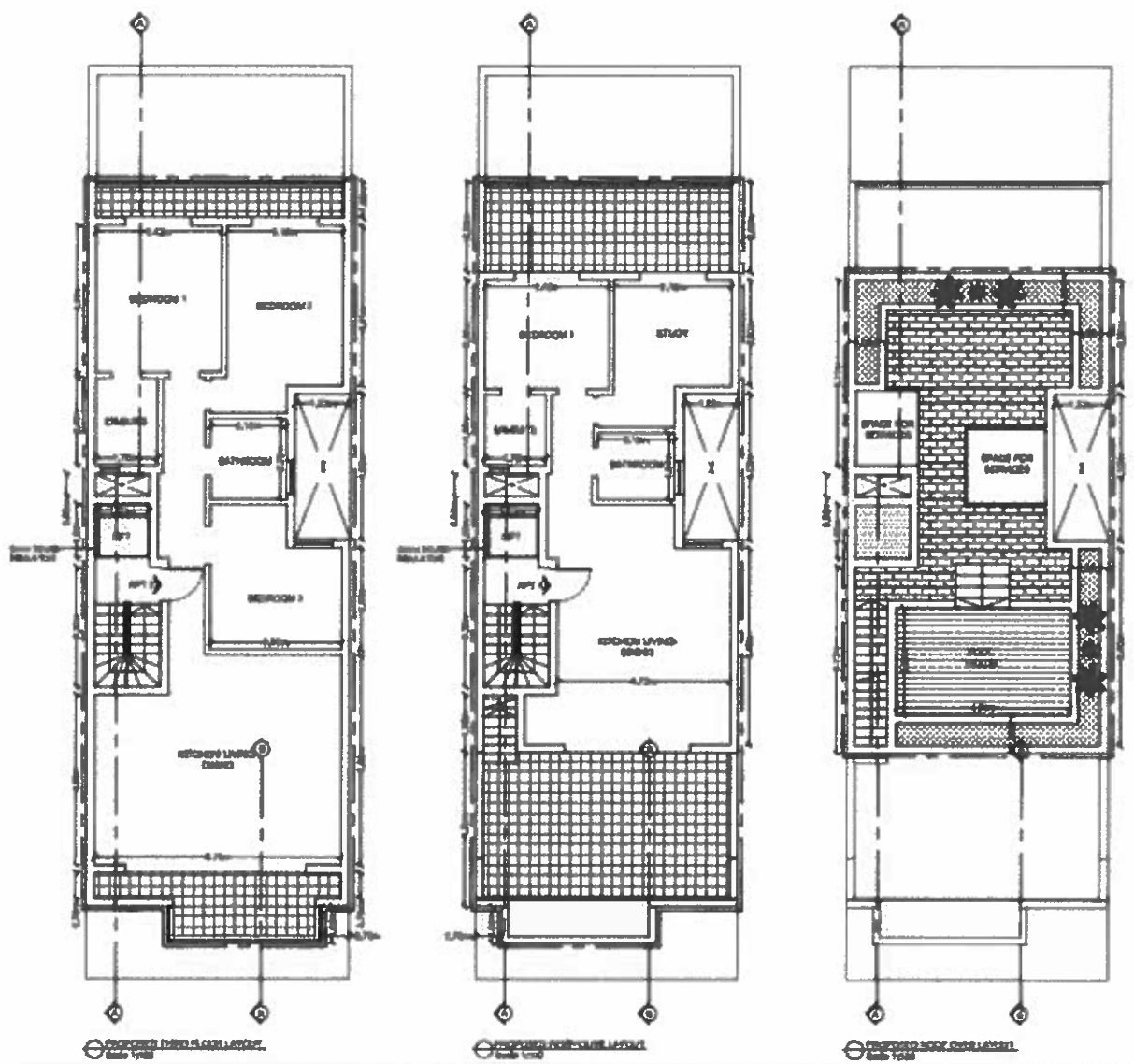


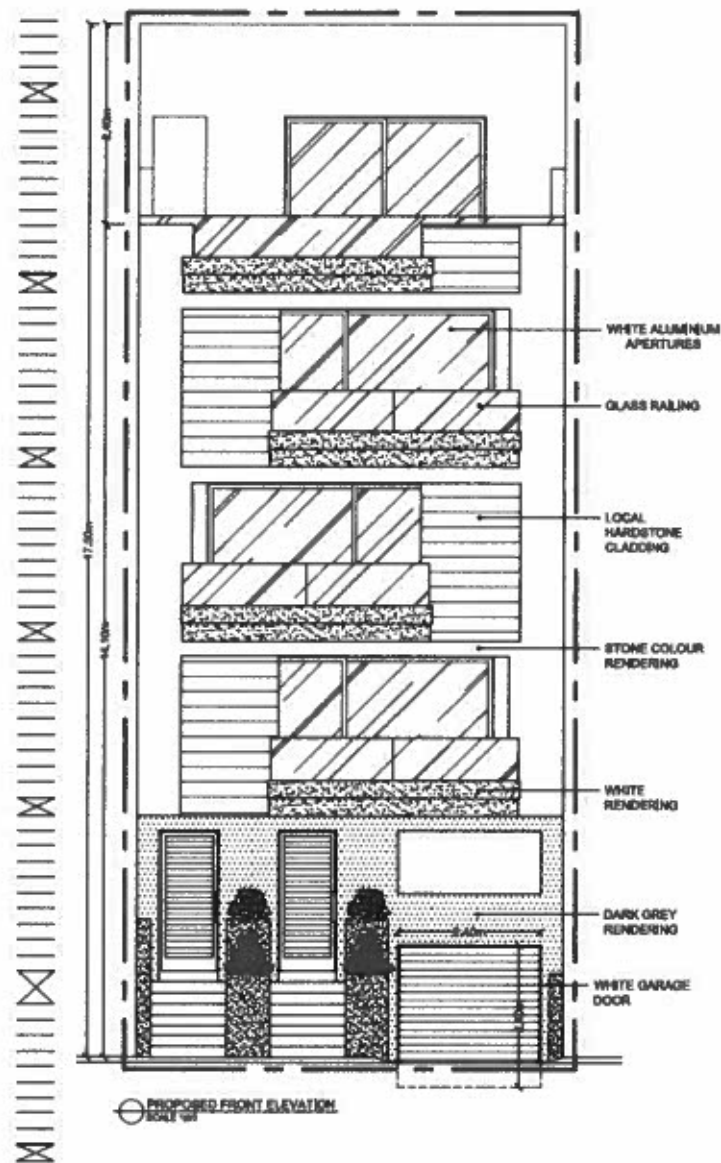
Ritratti li ttieħdu waqt l-access

## DOKUMENT P1

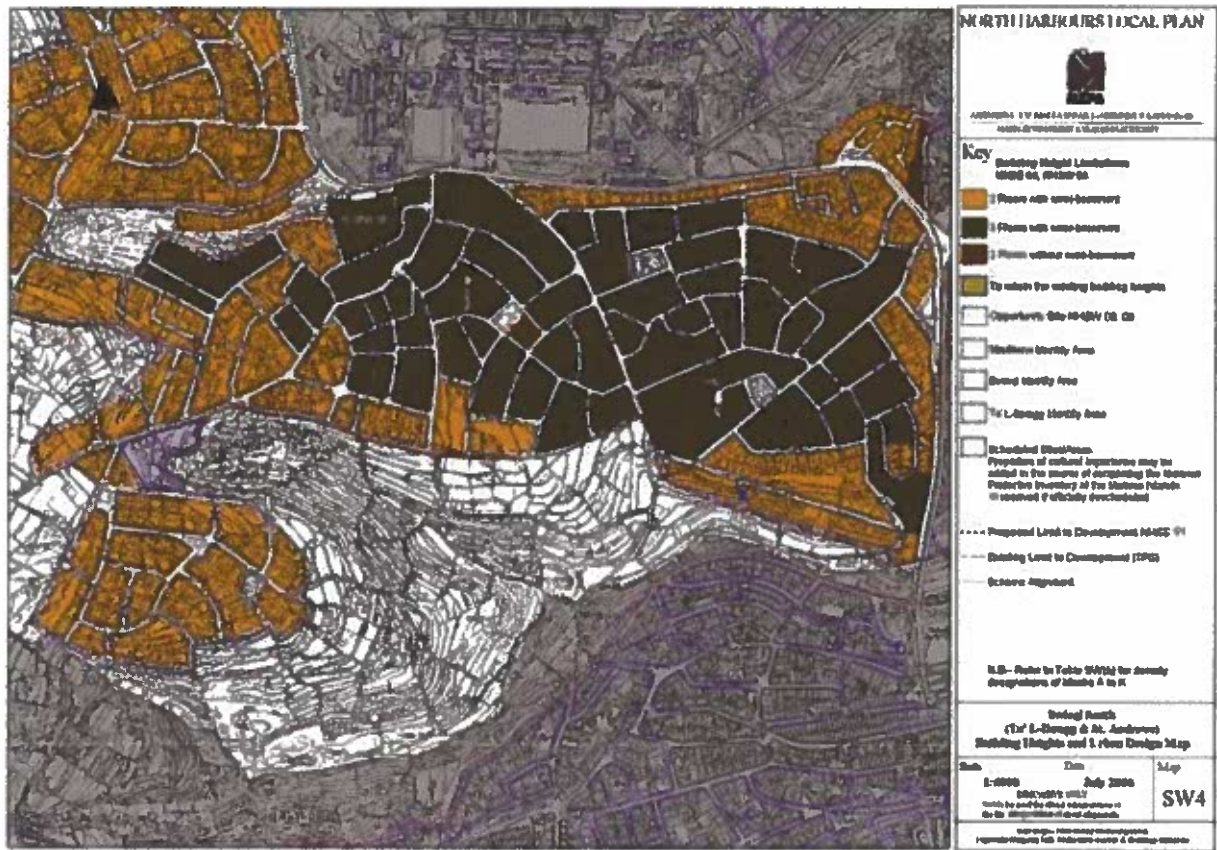
Pjanta tal-propost zvilupp skont il-permess (PA/07266/23)







# Dokument Map SW4 - North Harbours Local Plan



008458

Twenty ninth (29<sup>th</sup>) day of  
March of the year two thousand  
and eleven (2011).

Sale made by Joseph Busuttil,  
self employed, son of the late Carmelo and of the late  
Pauline nee' Cachia, born in Hamrun, holder of  
identity card number 775950(M) and his wife Mary  
Anne Busuttil, holder of identity card number  
318457(M) daughter of Angelo Cutajar and Sapienza  
nee' Grech, born in Zebbug, Malta and both residing  
at Swieqi in favour of Pierre Debono, self employed,  
son of Joseph and Carmen nee' Testa, born in Attard,  
holder of identity card number 580776(M) and his  
wife Daphne Debono, holder of identity card number  
327977(M), daughter of John Spiteri and of the late  
Mary Rose nee' Farrugia, born in Attard and both  
residing at San Gwann of the terraced house officially  
numbered forty two (42) and named "Java" and the  
garage officially numbered forty (40), which garage  
forms part of the said house and is interconnected  
thereto, in Triq il-Ghajn at Swieqi. Said property is  
free and unencumbered with all its rights and  
appurtenances including the subterranean and its  
relative airspace.

This sale was made and accepted under the following  
terms and subject to the following conditions:

- 1) In consideration of the price of three hundred  
seventy five thousand and twenty nine Euro  
(€375,029).
- 2) The property was sold with vacant possession and  
tale quale.
- 3) The Vendors declared that this property was built  
according to valid building permits, permits have  
been paid and according to building trade.
- 4) Road, tarmac and drainage contributions have been  
paid.

354.151  
Ag

Not Dr Victor John Bisazza

Order 1669273

1 / 6458 / 2011



KARATTERISTIĠA FIŻIĠA TAL-PROPJETA' IMMOBBLI

|                                    |                                 |
|------------------------------------|---------------------------------|
| Lokalita'                          | SWIEQI                          |
| Indirizz                           | 42, JAVA, TRIQ IL-GHAJN, SWIEQI |
| Qies tal-Binja kollha trasferita * | 175 m <sup>2</sup>              |

IMMARKA FEJN APPLIKABBLI (Imla kaxxa wahda f'kull każ minbarra fejn indikat mod iehor)

|                                                  |                                                    |                                                        |                                                |                                                              |
|--------------------------------------------------|----------------------------------------------------|--------------------------------------------------------|------------------------------------------------|--------------------------------------------------------------|
| Tip ta' Propjeta'                                | <input type="checkbox"/> Villa                     | <input type="checkbox"/> Semi-Detached                 | <input type="checkbox"/> Bungalow              | <input type="checkbox"/> Flat/Appartment                     |
|                                                  | <input type="checkbox"/> Penthouse                 | <input type="checkbox"/> Mezzanin                      | <input type="checkbox"/> Maisonette            | <input type="checkbox"/> Farmhouse                           |
|                                                  | <input checked="" type="checkbox"/> Terraced House | <input type="checkbox"/> Terran                        |                                                |                                                              |
| Kemm ilha mibnija                                | <input type="checkbox"/> 0-20 sena                 | <input checked="" type="checkbox"/> Aktar minn 20 sena | <input type="checkbox"/> Qabel it-Tieni Gwerra |                                                              |
| Il-Madwar                                        | <input type="checkbox"/> Veduta tal-bahar          | <input type="checkbox"/> Veduta tal-kampanja           | <input checked="" type="checkbox"/> Urbana     |                                                              |
| Ambjent                                          | <input checked="" type="checkbox"/> Zona kwieta    | <input type="checkbox"/> Zona Traffikuża               | <input type="checkbox"/> Zona ta' divertiment  | <input type="checkbox"/> Zona Industrijali                   |
| Stat ta' Kostruzzjoni                            | <input type="checkbox"/> Ġebel u saqaf             | <input type="checkbox"/> Nofs Lest**                   | <input checked="" type="checkbox"/> Lest***    |                                                              |
| Kundizzjoni                                      | <input type="checkbox"/> Tajjeb                    | <input checked="" type="checkbox"/> Adekwat            | <input type="checkbox"/> Hażin                 |                                                              |
| Facilitajiet<br>Tista' timmarka aktar minn wahda | <input checked="" type="checkbox"/> Bil-Ġnien      | <input type="checkbox"/> Bil-Pool                      | <input type="checkbox"/> Bil-lift              | <input checked="" type="checkbox"/> Bil-Basement             |
|                                                  | <input type="checkbox"/> Bla Garaxx                | <input type="checkbox"/> Garaxx karożza wahda          | <input type="checkbox"/> Garaxx żewġ karożzi   | <input checked="" type="checkbox"/> Garaxx ta' aktar karożzi |
| Arja                                             | <input checked="" type="checkbox"/> Bl-arja tiegħu | <input type="checkbox"/> Mingħajr l-arja               | <input type="checkbox"/> Bl-arja ma' terzi     |                                                              |

\* Jinkludi l-artijiet kollha u għonja imma jekk sulari addizzjonali, soqfa u washrooms

\*\*\* Jinkludi tikkil, elettriku, ilma u madum

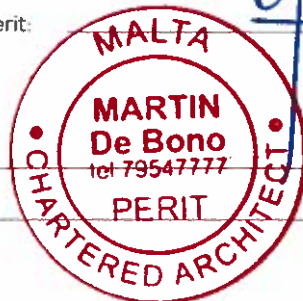
\*\* Jinkludi \*\* kif ukoll kmamar tal-banju w aperturi

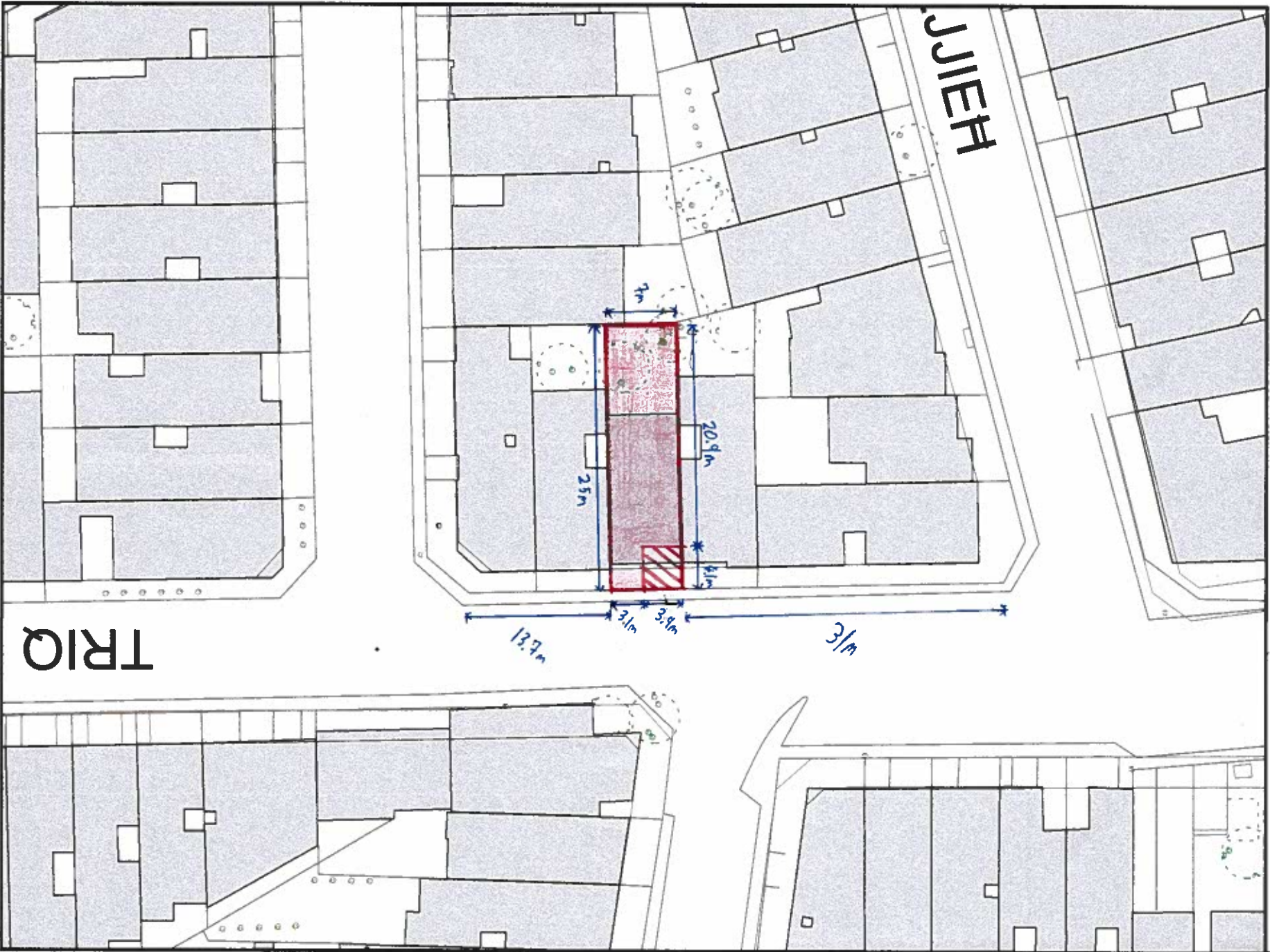
Data: 21/05/2025

Firma tal-Perit:

Numru tal-Warrant: 0355

Timbru:





APPLICANT'S PROPERTY AT  
GROUND FLOOR AND ABOVE

Scale 1:500

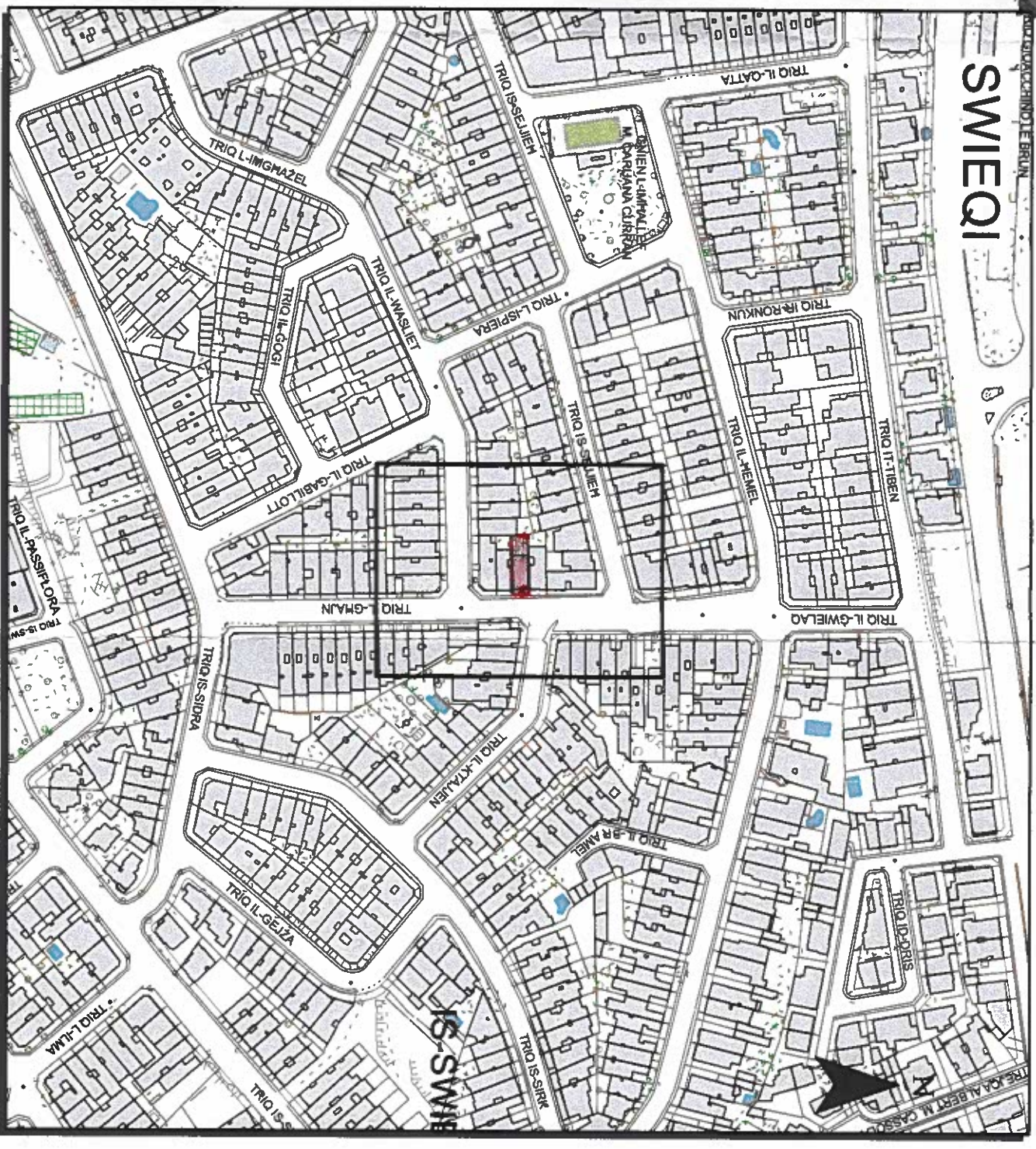
APPLICANT'S PROPERTY AT  
FIRST FLOOR AND ABOVE

0 10 20 30 40 50m

ADDRESS:

42, JAWA, TRIO IL-GHANJUN

50m SW/NE



Pjanta tas-Sit 1:2500 Site Plan

Aġenzija għar-Registrazzjoni tal-Artijiet  
116, Casa Bolino, Triq il-Punent, Il-Belt Valletta



Land Registration Agency  
116, Casa Bolino, Triq il-Punent, Il-Belt Valletta

Nru tal-Mappa: 388432 E  
Map Number:

Posizzjoni Ċentrali: x = 53338  
Centre Coordinates: y = 75568

Parti min S.S.: 5275  
Extracted from S.S.:

Data: 01/04/2025  
Date:

Perit: MARTIN J. DE BONO  
Architect: (Cnr: 0355)

Timbru tal-Perit:  
Architect's Stamp:

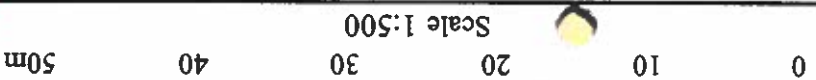


Qies (metri kwadri): APPLICANT'S PROPERTY AT  
Area (square metres): GROUND FLOOR AND ABOVE: 158.3m²

Firma ta' l-Applikant: APPLICANT'S PROPERTY AT  
Applicant's Signature: FIRST FLOOR AND ABOVE: 16.3m²

LR 400264

Dritt imballas  
Fee Paid



GROUND FLOOR LEVEL

50m 5WTEQ1.



**Land Registration Agency**  
116, Casa Bolino, Trig il-Punent, Il-Belt Valletta

|                     |            |
|---------------------|------------|
| Parti min S.S.:     | 5275       |
| Extraced from S.S.: |            |
| Date:               | 01/04/2025 |
| Date:               |            |

WALTA  
MARTIN

### Architect's Stamp:



LR 400263

**Dritt imhallas  
Fee Paid**