

COURT OF APPEAL

8th November, 1996.

208.

Before: The Bailiff, Single Judge,

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Between: Kensington Central Properties (C.I.) Ltd. Plaintiff/  
Respondent.

And: Répose Hotels (Jersey) Ltd. First Defendant/  
Appellant.

And: Barry Shelton. Second Defendant/  
Appellant.

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In the matter of the Appeal by the First and Second Defendants/Appellants from the Order of the Royal Court (Heritage Division) of 18th August, 1995, that the First and Second Defendants/Appellants jointly and severally pay to the Plaintiff/Respondent the sum of £104,707.14., plus interest thereon, pursuant to clause 2 of the Lease entered into between the Plaintiff/Respondent and the First Defendant/Appellant.

Application by the First and Second Defendants/Appellants:

- (1) under Rule 16 of the Court of Appeal (Civil)(Jersey) Rules, 1964, for an extension of the time allowed for lodging with the Judicial Greffier and for delivering to the Plaintiff/Respondent the documents set out in Rule 8 of the said Rules; and
- (2) under Rule 15 of the said Rules, for a stay of execution of the said Order of the Royal Court of 18th August, 1995, pending determination of the said appeal.

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Advocate M.St.J. O'Connell for the Plaintiff/Respondent.  
The Second Defendant/Appellant on his own behalf  
and representing the First Defendant/Appellant.

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JUDGMENT

**THE BAILIFF:** The application for an extension of time within which to file the appellant's case is refused, and it follows, therefore, that the application for a stay must also fail.

My reasons are two fold. Firstly, I have heard no sufficient explanation for the delay in pursuing the appeal which has occurred since the Notice of Appeal was filed on 31st August, 1995. Procedural time limits are important and cannot be circumvented without reason.

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Secondly, despite having considered very carefully the arguments put forward by Mr. Shelton, in support of his application, I can see no possible ground upon which the appeal could succeed.

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**No Authorities.**