

**MAGISTERIAL APPEALS DELIVERED DURING THE YEARS, 1990-1999
AND RECEIVED BY THE SUPREME COURT LAW LIBRARY.**

Alphabetically arranged.

ABC v XYZ.

de la Bastide, Michael C.J. Sharma, Sat J.A. Gopeesingh, Lloyd J.A.
(Judgment delivered by de la Bastide C.J.).
1995.07.27.

MAIN SUBJECTS:CRIMINAL LAW. SENTENCE. VARIATION.

**Abraham, Ernesto; Ward, McDonald [The Legal Personal Representatives of
Lopes, Carl (deceased)] v Baird, Melville, The Authority appointed under the
Gambling and Betting Act, Ch.11:19.**

Ibrahim, Mustapha J.A. Gopeesingh, Lloyd J.A. Hosein, Zainool J.A.
(Judgment delivered by Ibrahim J.A.).
1993.07.19.

C.A.MAG.3/1992.

MAIN SUBJECTS:GAMING. BETTING OFFICE. LICENCE.

Adams, Kenley v Hamid, Azam P.C. No.11001.

de la Bastide, Michael C.J. Hosein, Zainool J.A.
(Judgment delivered by de la Bastide C.J.).
1997.03.25.

C.A.MAG.110/1996.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. COCAINE.

Arietas, Sorzano v Windsor, Jacob.

Bernard, Clinton C.J. des Iles, Gerard J.A. Davis, James J.A.
(Judgment delivered by Bernard C.J.).
1990.02.22.

C.A.MAG.72/1987.

MAIN SUBJECTS:CRIMINAL LAW. LARCENY. MOTOR VEHICLE.

Beharry, Rooplal, R. v Bhaal, Ramkissoon.

de la Bastide, Michael C.J. Hosein, Zainool J.A.
[Judgment delivered by de la Bastide C.J.].
1997.03.25.

C.A.MAG.70/1996.

MAIN SUBJECTS:PHARMACY. PREMISES. LICENCE.

Benjamin, Garfield Srp. No.3483 v Modeste, Curtis.

Sharma, Sat J.A. Jones, Lionel J.A.
(Judgment delivered by Sharma J.A.).
1997.12.17.

C.A.MAG.117/1997.

MAIN SUBJECTS:CRIMINAL LAW. UNLAWFUL POSSESSION. SUMMARY OFFENCES.

Benjamin, Leon v Gregoire, Clunis P.C.10389.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J).

1996.08.07.C.A.MAG.40/1995.

MAIN SUBJECTS:CRIMINAL LAW. SENTENCE. INTOXICATING LIQUOR.

Boodram, Ganga, P. v Moraldo, Keith P.C.

de la Bastide, Michael C.J. Hamel-Smith, Roger J.A.

(Judgment delivered by de la Bastide C.J.).

1997.03.11.

C.A.MAG.112/1989.

MAIN SUBJECTS:PRACTICE. ADJOURNMENT. LEGAL REPRESENTATION.

Boos, Hans v Charles, M. Insp.

de la Bastide, Michael C.J. Gopeesingh, Lloyd J.A. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J).

1997.05.23.

C.A.MAG.152/1993.

MAIN SUBJECTS:OBSCENITY. OBSCENE PUBLICATIONS. SUMMARY OFFENCES.

Brown, Robert v Walker, Alson.

des Iles, Gerard J.A. McMillan, Kester J.A.

(Judgment delivered by des Iles, J.A.).

1990.11.23.

C.A.MAG.163/1987.

MAIN SUBJECTS:CRIMINAL LAW. SUMMARY OFFENCES. MALICIOUS DAMAGE.

Cedeno, Andy v Tambie, Terry.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1997.03.25.

C.A.MAG.109/1996.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. COCAINE.

Cedeno, Dean v Williams, Bertram, Police Constable No.9550.

Davis, James J.A. Hamel-Smith, Roger J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Davis, J.A.).

1991.07.29.

C.A.MAG.92/1990.

MAIN SUBJECTS:CRIMINAL LAW. UNLAWFUL POSSESSION. SUMMARY OFFENCES.

Charles, Patrick v Honore, Joseph, P.C.

Bernard, Clinton C.J. Sharma, Sat J.A.

(Judgment delivered by Bernard, C.J.).

1992.01.29.

C.A.MAG.191/1991.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. COCAINE.

Dass, Dindial M v Biscarmajeet, Chandrawatti.

McMillan, Kester J.A. Davis, James J.A.

(Judgment delivered by Davis J.A.).

1990.04.12.

C.A.MAG.103/1989.

MAIN SUBJECTS:FAMILY LAW. CHILDREN. PATERNITY.

de Gale, Glendon v United Hatcheries Limited.

Bernard, Clinton C.J. Sharma, Sat J.A. Hamel-Smith, Roger J.A.

(Judgment delivered by Hamel-Smith J.A.).

1992.07.15.

C.A.MAG.155/1986.

MAIN SUBJECTS:CUSTOMS. STATUTE. INTERPRETATION.

Dhanoor, Balmatee v Joseph, Richard.

Davis, James J.A. Ibrahim, Mustapha J.A.

(Judgment delivered by Davis J.A.).

1991.02.28.

C.A.MAG.131/1990.

MAIN SUBJECTS:PRACTICE. MAGISTRATE. REASONS FOR DECISION.

Edwards, Jeremiah v Cadogan, Roy. Police Constable No.7176.

Hamel-Smith, Roger J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Gopeesingh J.A.).

1994.05.30.

C.A.MAG.89/1992.

MAIN SUBJECTS:CRIMINAL LAW. LARCENY. MOTOR VEHICLE.

Ellis, Roger v Dick, Aldwin, P.C.

Bernard, Clinton C.J. Sharma, Sat J.A.

(Judgment delivered by Bernard C.J.).

1992.01.29.

C.A.MAG.235/1991.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. COCAINE.

Farfan, Esmond et al v Hurst, Doris.

McMillan, Kester J.A. Davis, James J.A.

(Judgment delivered by McMillan, J.A.).

1990.07.27.

C.A.MAG.15/1988.

MAIN SUBJECTS:LICENCE. LIQUOR LICENCE. RENEWAL.

Forbes, Clinton v Maharaj, Chandrabhan.

Ibrahim, Mustapha J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Ibrahim J.A.).

1997.03.24.

C.A.MAG.37/1988.

MAIN SUBJECTS:DRUGS. POSSESSION. MARIJUANA.

Francis, Daniel, Cpl, No.8494 v Singh, Harrilal.

Davis, James J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Gopeesingh, J.A.).

1992.02.28.

C.A.MAG.105/1989.

MAIN SUBJECTS:CRIMINAL LAW. LARCENY. UNLAWFUL POSSESSION.

Gosine, Shyan v Dental Board of Trinidad and Tobago.

de la Bastide, Michael C.J. Hamel-Smith, Roger J.A.

(Judgment delivered by de la Bastide C.J.).

1995.11.30.

C.A.MAG.168/1992. C.A.MAG.190/92.

MAIN SUBJECTS:DENTAL PRACTICE. DENTAL AUXILLIARY. OFFENCE.

Hasranah, Bhola v Clarke, Treavor, P.C. No.10387.

Bernard, Clinton C.J. Sharma, Sat J.A.

(Judgment delivered by Bernard, C.J.).

1992.03.06.

C.A.MAG.37/1990.

MAIN SUBJECTS:CRIMINAL LAW. SENTENCE. FIREARM.

Hope, Peter v The Magistrate, Third Court.

Davis, James J.A. Hamel-Smith, Roger J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Gopeesingh J.A.).

1991.07.27.

C.A.MAG.118/1990.

MAIN SUBJECTS:CRIMINAL LAW. BAIL. FORFEITURE.

Housend, Dennis v Tyson, Frank; Griffith, Gregory; Francis, Peter.

de la Bastide, Michael C.J. Sharma, Sat J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by de la Bastide C.J.).

1995.07.26.

C.A.MAG.93/1992.

MAIN SUBJECTS:PRACTICE. MAGISTRATE. COMPLAINT.

Jack Superintendant; Springer, Anthony Customs Excise Officer v Hosein, Horace, L.

Sharma, Sat J.A. Ibrahim, Mustapha J.A. Hamel-Smith, Roger J.A.

(Judgment delivered by Sharma J.A.).

1996.09.20.

C.A.MAG.60/1992.

MAIN SUBJECTS:CRIMINAL LAW. CUSTOMS. PROHIBITED GOODS.

Jackman, Paul v Munroe, Victor P.C. No.12451.

Sharma, Sat J.A. Permanand, Jean J.A. Jones, Lionel J.A.

(Judgment delivered by Sharma J.A.).

1997.12.05.

C.A.MAG.152/1997.

MAIN SUBJECTS:CRIMINAL LAW. SENTENCE. DRUGS.

James, Kello v The State.

Sharma, Sat J.A. Nelson, Rolston J.A.

(Judgment delivered by Sharma J.A.).

1999.07.30.

C.A.MAG.126/1999.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. TRAFFICKING.

Jerrybandan, Harrynarine v Allen, Kaytiki P.C. No.13138.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1997.03.25.

C.A.MAG.106/1996.

MAIN SUBJECTS:CRIMINAL LAW. SEXUAL OFFENCES. INDECENT ASSAULT.

John, Frank v Phillip, Milton; Ricomas, Boysie.

Ibrahim, Mustapha J.A. Hosein, Zainool J.A.

(Judgment delivered by Ibrahim J.A.).

1994.07.28.

C.A.MAG.147/1993.

MAIN SUBJECTS:APPEAL. HEARING. FAILURE TO APPEAR.

Jones, Errol v Daniel, Kelvin P.CPL. No.8984.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1996.08.06.

C.A.MAG.43/1995.

MAIN SUBJECTS:ROAD TRAFFIC. CARELESS DRIVING. MAGISTRATE.

Kasule, Emmanuel v Audain, E.C. No.5136.

Hamel-Smith, Roger J.A. Nelson, Rolston J.A.

(Judgment delivered by Nelson J.A.).

1999.11.16.
C.A.MAG.139/1999.
MAIN SUBJECTS:CRIMINAL LAW. PRACTICE. TRIAL.

Khan, Rayshard v Glynn, Irving P.C. No.6555.
de la Bastide, Michael C.J. Hosein, Zainool J.A.
(Judgment delivered by de la Bastide C.J).
1995.10.26.
C.A.MAG.30/1992.
MAIN SUBJECTS:CRIMINAL LAW. DRUGS. POSSESSION.

Kissoondan, Frank v Flemming, Mervyn.
Davis, James J.A. Hamel-Smith, Roger J.A.
(Judgment delivered by Davis J.A.).
1991.03.19.
C.A.MAG.204/1990.
MAIN SUBJECTS:CRIMINAL LAW. LARCENY. MOTOR VEHICLE.

Lee Singh, Patrick v Mc Alpin, Lloyd No.11076.
de la Bastide, Michael C.J. Hamel-Smith, Roger J.A.
(Judgment delivered by de la Bastide C.J).
1996.02.29.
C.A.MAG.283/1991.
MAIN SUBJECTS:CRIMINAL LAW. SENTENCE. VARIATION.

Leiba, Pearl v Brizan, Irene.
Ibrahim, Mustapha J.A.
1991.10.25.
C.A.MAG.264/1991. Ruling.
MAIN SUBJECTS:PRACTICE. STAY OF EXECUTION. ORDER.

Manwarring, Robert v Gall, Thomas Inspector.
de la Bastide, Michael C.J. Hosein, Zainool J.A.
1995.10.26.
C.A.MAG.115/1990.
MAIN SUBJECTS:CRIMINAL LAW. LARCENY. OWNER.

Mark, Christopher v The Senior Magistrate.
de la Bastide, Michael C.J. Hosein, Zainool J.A.
(Judgment delivered by de la Bastide C.J.).
1996.08.07.
C.A.MAG.45/1995.
MAIN SUBJECTS:CRIMINAL LAW. BAIL. FORFEITURE.

Mitchell, Brian v Ferreira, Joseph, Police Constable No. 9058.
Hamel-Smith, Roger J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Gopeesingh J.A.).
1992.07.23.
C.A.MAG.21/1992.
MAIN SUBJECTS:SENTENCE. POSSESSION. FIREARM.

O'Garro, Yvette v Hamlet, Alfonso.
Davis, James J.A. Hamel-Smith, Roger J.A.
(Judgment delivered by Davis J.A.).
1991.03.14.
C.A.MAG.158/1990.
MAIN SUBJECTS:FAMILY LAW. CHILDREN. PATERNITY.

Perpignac, Derek v Elliott, Lennox Sgt.
de la Bastide, Michael C.J. Hamel-Smith, Roger J.A.
(Judgment delivered by de la Bastide C.J.).
1996.02.29.
C.A.MAG.289/1991.
MAIN SUBJECTS:CRIMINAL LAW. EXCHANGE CONTROL. CURRENCY.

Pierre, Donald v Boodram, Naresh.
de la Bastide, Michael C.J. Permanand, Jean J.A.
(Judgment delivered by de la Bastide C.J.).
1999.02.25.
C.A.MAG.297/1998.
MAIN SUBJECTS:CRIMINAL LAW. EVIDENCE. NO CASE SUBMISSION.

Pigott, Maurice Assistant Superintendent v Bissoondath, Kenny.
de la Bastide, Michael C.J. Permanand, Jean J.A.
(Judgment delivered by de la Bastide C.J.).
1999.02.25.
C.A.MAG.279/1998.
MAIN SUBJECTS:APPEAL. GROUNDS OF APPEAL. FILING.

Ramdhan, Rajnath; Ramdhan, Dave v Maharaj, Chandrabhan P.C. No.7746.
de la Bastide, Michael C.J. Ibrahim, Mustapha J.A.
(Judgment delivered by de la Bastide C.J.).
1995.08.02.
C.A.MAG.71/1989.
MAIN SUBJECTS:CRIMINAL LAW. DRUGS. DE LA BASTIDE, MICHAEL C.J.

Ramlal, Roopnarine v Ding Chong, Margaret.
McMillan, Kester J.A. Davis, James J.A.
(Judgment delivered by McMillan J.A.).
1990.07.27.
C.A.MAG.107/1989.

**MAIN SUBJECTS:LANDLORD AND TENANT. SUMMARY EJECTMENT.
NOTICE TO QUIT.**

Rampersadsingh, Ramesh P.C. No.10266 v Griffith, Philbert.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1997.03.25.

C.A.MAG.104/1996.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. MARIJUANA.

In Re the Summary Courts Act. In Re an intended appeal.

Between Ramsingh, Bindra v Director of Public Prosecutions.

Davis, James J.A. Hamel-Smith, Roger J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Davis J.A.).

1991.12.09.

C.A.CIV.14/1991. Application.

MAIN SUBJECTS:APPEAL. PRACTICE. NOTICE OF APPEAL.

**Rezende's Breeding, Boarding and Securities Kennels Company Limited v
Richmond, Withfield.**

McMillan, Kester J.A. Davis, James J.A.

(Judgment delivered by Davis J.A.).

1990.06.13.

C.A.MAG.220/1986.

MAIN SUBJECTS:NATIONAL INSURANCE. LIMITATION OF ACTION.
CONTINUING OFFENCE.

**Roberts, Sterling P.C. No.10794 v Alsop, Adrian; Baptiste, John, H.; Melville,
Raymond.**

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1995.12.20.

C.A.MAG.62/1993.

MAIN SUBJECTS:PRACTICE. MAGISTRATE. REFUSAL TO CONVICT.

Romeo, Kenneth v Holder, Lennox.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1995.12.19.

C.A.MAG.31/1993.

MAIN SUBJECTS:PRACTICE. MAGISTRATE. REFUSAL TO CONVICT.

Serville, Kenneth v George, Jerome.

Davis, James J.A. Hamel-Smith, Roger J.A.

(Judgment delivered by Davis J.A.).

1991.03.14.

C.A.MAG.197/1990.

MAIN SUBJECTS:PRACTICE. MAGISTRATE. REASONS FOR DECISION.

Singh, Michael v Garrick, Ainsley P.C. No.10478.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J.).

1995.10.26.

C.A.MAG.243/1991.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. POSSESSION.

Sookdeo, Balraj v Fermin, R. Cpl.

McMillan, Kester J.A. Davis, James J.A.

(Judgment delivered by Davis J.A.).

1990.04.12.

C.A.MAG.43/1989.

MAIN SUBJECTS:CRIMINAL LAW. LARCENY. POSTAL PACKETS.

Soso, Tilbert v The Senior Magistrate (C.A./Mag.176/90)and Bhagaloo, Oudho v The Senior Magistrate (C.A./Mag.175/90).

Davis, James J.A. Hamel-Smith, Roger J.A.

(Judgment delivered by Davis,J.A).

1991.03.11.

C.A.MAG.176/1990. C.A.MAG.175/90.

MAIN SUBJECTS:CRIMINAL LAW. BAIL. BOND.

St. Hillaire, Moses v Boisson, Bascelicia.

Ibrahim, Mustapha J.A. Gopeesingh, Lloyd J.A.

(Judgment delivered by Ibrahim J.A.).

1993.01.27.

C.A.MAG.62/1992.

MAIN SUBJECTS:AGRICULTURAL HOLDING. TENANCY. TERMINATION.

Sylvester P.C. v Foster, Sharon.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J).

1996.05.28.

C.A.MAG.156/1995.

MAIN SUBJECTS:CRIMINAL LAW. DRUGS. COCAINE.

Thomas, George P.C. No.11751 v Clarke, Carlos.

de la Bastide, Michael C.J. Hosein, Zainool J.A.

(Judgment delivered by de la Bastide C.J).

1996.08.05.

C.A.MAG.21/1995.

MAIN SUBJECTS:ROAD TRAFFIC. CARELESS DRIVING. SENTENCE.

Young, Stella v Morales, Gloria.

Hamel-Smith, Roger J.A. Hosein, Zainool J.A.

(Judgment delivered by Hamel-Smith J.A.).

1995.11.13.

C.A.MAG.21/1991.

MAIN SUBJECTS:LANDLORD AND TENANT. RENT RESTRICTION.
COMMERCIAL PREMISES.