

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE

CLAIM NO: CV2013-00374

**In the Matter of an Application pursuant to
Section 25 of the Wills and Probate
Ordinance Chapter 8 No. 2**

AND

**In the Matter of the Estate of
Hashim Mohammed (Deceased)
Who died on the 9th day of February 2004**

BETWEEN

**KAVIR MOHAMMED
KAVIRRA RAMDATT**

CLAIMANTS

AND

KHALID MOHAMMED

DEFENDANT



REASONS

Before the Honourable Madam Justice Pemberton

Appearances:

For the Claimants: Mr P. Persad-Maharaj holding for Mr A Ashraph on behalf of Mr W.
Gopaul

Claimant present

For the Defendant: No appearance

Interested Parties: Mr A. Mohammed and Ms S. Singh – Ms Jafeeda Mohammed (wife of deceased Hashim Mohammed)

Ms S. Lakhani holding for Mr J. Singh – Ms Z. Maharaj (daughter of the deceased).

Ms H. Mohammed (Ms S. Lakhani announced appearance)

[1] See Part 19.2 (3) (a) and (b) CPR with respect to the power of the Court to add a new party and (b) when the power is to be exercised. Part 19.5 (1) gives the court power to add a party **WITH OR WITHOUT** an application. This power was exercised to give Ms H. Mohammed an opportunity to answer the serious allegations made against her in the Claimant's case.

[2] Part 26.1 (t) CPR the court has the power to order that parties be represented separately.

[3] Again, in an effort to ensure that justice is served, this court took the decision and made the order that the Proposed Defendant in these circumstances be represented by separate attorneys from any other named parties or Interested Parties.

Dated this 19th day of March 2013.

/s/ CHARMAINE PEMBERTON
HIGH COURT JUDGE