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SOMMARJU – SUMMARY

Avviżi tal-Pulizija ..... 7153 - 7154
Police Notices ..... *7153 - 7154*

Avviżi tal-Qorti ..... 7154 - 7156
Court Notices ..... *7154 - 7156*

AVVIŻ TAL-PULIZIJA

Nru. 50

Il-Kummissarju tal-Pulizija jgħarraf li skont il-Leġiżlazzjoni Sussidjarja 65.05 u l-Leġiżlazzjoni Sussidjarja 65.13, it-toroq hawn taħt imsemmija se jiġu kklasifikati bħala Żoni ta' Rmonk kif indikat hawn taħt fid-dati u ħinijiet indikati.

Bis-saħħa tal-Artikolu 52(1) tal-Ordinanza dwar ir-Regolamenti tat-Traffiku (Kap 65), il-Kummissarju tal-Pulizija jgħarraf illi l-vetturi tas-sewqan jista' jagħti l-każ li ma jkunux jistgħu jgħaddu jew jiddawru mit-toroq imsemmija hawn taħt fid-dati u l-ħinijiet indikati.

Ta' Sannat

Nhar is-Sibt, 30 ta' April, 2022, mill-5.00 p.m. sad-9.00 p.m., ħadd ma jista' jipparkja jew jieqaf minn Pjazza Santa Margerita quddiem iz-zuntier biss.

Nhar is-Sibt, 30 ta' April, 2022, mis-7.00 p.m. sad-9.00 p.m., ħadd ma jista' jgħaddi minn Pjazza Santa Margerita, Triq Dun Xand Aquilina, Triq Santa Marija u Triq Ta' Ċenċ.

Trasport pubbliku jista' jkun affettwat.

Il-Gudja

Nhar it-Tnejn, 25th April, 2022, from 6.00 a.m. till 10.00 a.m., through Triq iż-Żebbuġa, Triq il-Kbira, Triq San Ċiru, Triq il-Lews, Triq it-Torri, Triq Castagna, Triq Raymond Caruana, Triq il-Lunzjata, Triq Santa Marija, Triq Bir Miftuħ and Triq William Baker.

Trasport pubbliku se jkun ukoll affettwat.

Ir-Rabat (Għawdex)

Nhar il-Ħadd, 24 ta' April, 2022, mill-5.30 p.m. sad-9.30 p.m., minn Pjazza San Ġorġ.

Nhar il-Ħadd, 8 ta' Mejju, 2022, mill-3.45 p.m. sas-7.30 p.m., minn Pjazza San Ġorġ, Triq San Ġużepp, Pjazza Independenza, Triq Sir Adrian Dingli, Pjazza Savina, Triq Santa Marija, Triq il-Librerija, Triq Vajringa, Triq Palma u Triq ir-Repubblika.

Bormla

Nhar il-Ġimgħa, 6 ta' Mejju, 2022, mis-2.00 p.m. sal-10.00 p.m., minn Triq l-Oratorju, Triq Santu Rokku, Triq John Pace, Triq Santa Tereża u Triq il-Pellegrinaġġ.

Trasport pubbliku se jkun ukoll affettwat.

POLICE NOTICE

No. 50

The Commissioner of Police hereby notifies that in terms of Subsidiary Legislation 65.05 and Subsidiary Legislation 65.13, the streets listed hereunder are to be classified as Tow Zones.

In virtue of Section 52 (1) of the Traffic Regulations (Chapter 65). The Commissioner of Police hereby notifies that the transit and stopping of vehicles through the streets mentioned hereunder may be prohibited on the dates and times indicated.

Ta' Sannat

On Saturday, 30th April, 2022, from 5.00 p.m. till 9.00 p.m., no parking and no stopping through Santa Margerita square only in front of church parvis.

On Saturday, 30th April, 2022, from 7.00 p.m. till 9.00 p.m., no transit through Pjazza Santa Margerita, Triq Dun Xand Aquilina, Triq Santa Marija and Triq Ta' Ċenċ.

Public transport may also be affected.

Gudja

On Monday, 25th April, 2022, from 6.00 a.m. till 10.00 a.m., through Triq iż-Żebbuġa, Triq il-Kbira, Triq San Ċiru, Triq il-Lews, Triq it-Torri, Triq Castagna, Triq Raymond Caruana, Triq il-Lunzjata, Triq Santa Marija, Triq Bir Miftuħ and Triq William Baker.

Public transport will also be affected.

Victoria

On Sunday, 24th April, 2022, from 5.30 p.m. till 9.30 p.m., through Pjazza San Ġorġ.

On Sunday, 8th May, 2022, from 3.45 p.m. till 7.30 p.m., through Pjazza San Ġorġ, Triq San Ġużepp, Pjazza Independenza, Triq Sir Adrian Dingli, Pjazza Savina, Triq Santa Marija, Triq il-Librerija, Triq Vajringa, Triq Palma and Triq ir-Repubblika.

Cospicua

On Friday, 6th May, 2022, from 2.00 p.m. till 10.00 p.m., through Triq l-Oratorju, Triq Santu Rokku, Triq John Pace, Triq Santa Tereża and Triq il-Pellegrinaġġ.

Public transport will also be affected.

Il-Birgu/Bormla

Nhar is-Sibt, 23 ta' April, 2022, fil-5.00 a.m., sal-Ħadd, 24 ta' April, 2022, fit-8.00 p.m., minn Triq San Lawrenz, Xatt ir-Risq u Triq Dom Mintoff.

Trasport pubbliku se jkun ukoll affettwat.

Vetturi li jiksru l-ordni ta' dan l-avviż ikunu suġġetti li jiġu rmunkati.

Il-21 ta' April, 2022

Vittoriosa/Cospicua

On Saturday, 23rd April, 2022, at 5.00 a.m., till Sunday, 24th April, 2022, at 8.00 p.m., through Triq San Lawrenz, Xatt ir-Risq and Triq Dom Mintoff.

Public transport will also be affected.

Any vehicles found parked in contravention to the order of this notice are liable to be towed away.

21st April, 2022

AVVIŻ TAL-QORTI – *COURT NOTICE*

661

B'digriet moghti mill-Qorti tal-Appell fit-12 ta' Ottubru, 2021, fl-atti tar-Rikors fl-ismijiet Joanna Hili vs Martin John et, Rikors numru 373/08, ġiet ordnata s-segwenti pubblikazzjoni biex isservi ta' notifika fil-konfront ta' Lee Martin u Emanuel Theuma, a tenur tal-Artikolu 187(3) et sequitur tal-Kap. 12.

Permezz ta' Risposta tal-Appell tal-appellat John Martin (KI 53585M), Rikors Apell 373/08, fl-ismijiet Joanna Hili vs Martin John, Derek Lee D'Amato u b'digriet tat-30 ta' Settembru, 2020, ġew kjamati in kawża Lee Martin, Emanuel Theuma u Jurgen Debattista, fit-8 ta' April, 2021, l-interpellanti John Martin espona bir-rispett:

Risposta għall-appell intavolat minn Derek Lee D'Amato.

Illi permezz tas-sentenza minnha mogħtija fit-12 ta' Jannar, 2021, din l-Onorabbli Qorti: i) laqgħet l-eċċezzjoni tal-preskrizzjoni mressqa mill-intimati Jurgen Debattista u Lee Martin ai termini tal-artikolu 2154 tal-Kodiċi Ċivili, ii) ċaħdet l-eċċezzjonijiet kollha tal-intimati John Martin u Derek Lee D'Amato u tal-kjamati in kawża Emanuel Theuma, u iii) għaddiet sabiex tilqa' t-talbiet attriċi filwaqt illi llikwidat id-danni sofferti minnha fl-ammont ta' €32,656.51c u kkundannat lill-intimati u l-imsemmi kjamat in kawża sabiex iħallsu l-istess in solidum bejniethom, bl-imħsax mid-data tas-sentenza u bl-ispejjeż;

Illi permezz tal-appell minnu ntavolat fit-28 ta' Jannar, 2021, l-intimat Derek Lee D'Amato talab illi din l-Onorabbli Qorti tal-Appell sabiex tħassar u tirrevoka s-sentenza fl-ismijiet premessi billi tilqa' l-eċċezzjonijiet minnu mressqa fl-Ewwel Istanza u konsegwentement tiċħad it-talbiet tal-attriċi Joanna Hili;

Illi l-istess esponent appellat min-naħa tiegħu jħossu aggravat bid-deċiżjoni mogħtija mill-Onorabbli Qorti fit-12 ta' Jannar, 2021;

By means of a decree given by the Court of Appeal, on the 12th October, 2021, in the records of the Application in the names Joanna Hili vs Martin John et, Application number 373/08, the following publication was ordered for the purpose of service of Lee Martin and Emanuel Theuma, in terms of Article 187(3) et sequitur of Cap. 12.

By means of a Reply to an Appeal of the respondent John Martin (ID 53585M), Application of Appeal 373/08, in the names Joanna Hili vs Martin John, Derfek Lee D'Amato and by decree of the 30th September, 2020, there were called into the cause Lee Martin, EmanueI Theuma and Jurgen Debattista, on the 8th April, 2021, the interpellant John Martin respectfully pleaded:

Reply to the Appeal filed by Derek Lee D'Amato.

That by means of the judgement given by it on the 12th January, 2021, this Honouracble Court: i) upheld the plea of prescription brought forward by the respondents Jurgen Debattista and Lee Martin in terms of article 2154 of the Civil Code, ii) rejected all the pleas of the respondents John Martin and Derek Lee D'Amato and of the parties called into the cause Emacnuel Theuma, and iii) passed on to uphold the plaintiff's demands whilst liquidating the damages suffered by her in the amount of €32,656.51c and condemned the respondents and the said party c alled into the cause to pay the same in solidum between them, with interest from the date of the judgement and with costs;

That by means of the appeal filed by him on the 28th January, 2021, the respondent Derek Lee D'Amato asked this Honourable Court of Appeal to cancel and revoke the judgement in the names premised by upholding the pleas brought forward by him in First Instance and consequently reject the demands of the plaintiff Joanna Hili;

That the same respondent appellant on his part feels aggrieved by the decision given by the Honourable Court on the 12th January, 2021;

… omissis …

L-aggravji msemmija f'dan ir-rikors jikkostitwixxu l-mertu tal-appell inċidentali mressaq mil-esponent appellat filwaqt ili l-ewwel huwa sejjer iwieġeb għar-rikors tal-appell intavolat mill-appellant Derek Lee D'Amato fit-28 ta' Jannar, 2021.

A. Fatti

… omissis …

B. Aggravji

Illi l-esponent appellat f'dan l-istadju ser jgħaddi sabiex jindirizza l-aggravji mressqa mill-appellanti Derek Lee D'Amato.

1) Il-Preskrizzjoni u s-Solidarjetà

… omissis …

2) Il-Grad ta' Responsabbilita tal-Appellant Derek Lee D' Amato

… omissis …

3) Il-Kontribuzzjoni tal-Attriċi

… omissis …

4) Id-Danni Morali

… omissis …

5) Il-Portata tas-Sentenza Kriminali fil-konfront tal-partijiet f'din il-kawża

Illi mill-kontenut tas-sentenza mogħtija mill-imsemmija Onorabbli Qorti fit-12 ta' Jannar, 2021, jirriżulta manifestament illi l-eżerċizzju su rifert ma twettaqx b'dan illi l-istess Onorabbli Qorti kkunsidrat biss illi l-ammissjoni fil-kamp kriminali tikkostitwixxi 'regina tal-provi' u din tiddispensa l-Qorti milli tfittex provi oħrajn jiġi bir-rispett rilevat illi l-prinċipju hekk espost mill-Onorabbli Qorti fl-Ewwel Istanza ġie applikat skorrettement fil-kuntest ta' proċedura u dan kif ittrattat f'aktar dettalji fl-appell inċidentali mressaq mill-esponent appellat.

L-Appell Inċidentali

L-esponenti ħass ruħu aggravata bis-sentenza mogħtija mill-Prim Awla tal-Qorti fit-12 ta' Jannar, 2021, u qed tinterponi umli appell quddiem din l-Onorabbli Qorti tal-Appell.

… omissis …

The grievances mentioned in this application constitute the merit of the incidental appeal brought by the interpellant respondent whilst in the first place he shall reply to the application of appeal filed by the appellant Derek Lee D'Amato on the 28th January, 2021.

A. Facts

… omissis …

B. Grieviances

That the interpellant respondent in this stage shall pass to address the grievances brought by the appellant Derek Lee D' Amato.

1) Prescription and Solidarity

… omissis …

2) The Grade of Responsibility of the Appellant Derek Lee D' Amato

… omissis …

3) The Contribution of the Plaintiff

… omissis …

4) The Moral Damages.

… omissis …

5) The meaning of the Criminal Judgement in regard to the parties in this cause

That from the content of the judgement given by the said Honourable Court on the 12th January, 2021, it manifestly results that the above exercise was not carried out and the same Honourable Court only considered that the admission in the Criminal Court is the 'main proof'and this frees the Court from searching further proof it is respectfully pointed out that the principle so exposed by the Honourable First Court in First Instance was badly applied in the context of civil procedure and this as dealt in more details in the incidental appeal brought forward by the interpellant respondent.

The Incidental Appeal

The interpellant felt aggrieved by the judgement given by the First Hall Civil Court on the 12th January, 2021, and is filing a humble appeal therefrom before this Honourable Court of Appeal.

L-Ewwel Aggravvju – Deċiżjoni skorretta u inġusta dwar responsabbiltà u solidarjetà.

Illi mill-kontenut tas-sentenza mogħtija mill-Onorabbli Prim'Awla fl-ismijiet premessi fit-12 ta' Jannar, 2021, jirriżulta manifestament illi sabiex tiddetermina r-resposabbiltà o meno tal-intimati/kjamati in kawża inkonnessjoni mal-vertenza odjerna l-istess Onorabbli Qorti straħet unikament fuq il-fatt illi fil-kors tal-proċedura kriminali meħuda fil-konfront tagħhom l-imsemmija intimati/kjamati in kawża kienu rreġistraw ammissjoni;

… omissis …

It-Tieni Aggravju –Applikazzjoni Skorretta tal-Liġi

Illi mingħajr preġudizzju għas-su espost l-Onorabbli Qorti fil-Prim'Istanza applikat skorrettement il-liġi relattiva għall-preskrizzjoni meta għaddiet sabiex tilqa' l-eċċezzjoni prelimnari mressqa mill-kjamati in kawża appellati Jurgen Debattista u Lee Martin;

… omissis …

It-Tielet Aggravju – Spejjeż Ġudizzjarji

Illi fl-aħħar lok u mingħajr preġudizzju għal dak kollu su espost issir referenza għall-fatt illi l-Onorabbli Prim'Awla kkundannat lil-esponent appellant flimkien mal-intimat Derek Lee D'Amato u l-kjamat in kawża Emanuel Theuma sabiex iħallas l-ispejjeż ġudizzjarji kollha nkorsi mill-attriċi.

Għaldaqstant, l-esponenti titolb umilment li din l-Onorabbli Qorti jogħġobha tvarja s-sentenza fl-ismijiet premessi moghtija mill-Prim Awla tal-Qorti, nhar it-12 ta' Jannar 2021, kif mitluba f'dan ir-rikors.

Bl-ispejjeż, taż-żewġ istanzi kontra l-intimat Derek Lee D'Amato u l-kjamati in kawża Lee Martin, Jurgen Debattista u Emanuel Theuma.

Ir-Rikors fl-ismijiet Joanna Hili vs John Martin et, Rikors numru 373/08, jinsab differit għas-smigħ għat-22 ta' Ġunju, 2022, fit 8.15 a.m.

Notifika: 1) Lee Martin, 158, Shamrock, Flt 2, Triq il-Kanun, Santa Venera
2) Emanuel Theuma, 15, Trejqet Sant'Anna, Il-Ħamrun

Reġistru tal-Qrati Superjuri (Appelli), illum 20 ta' April, 2022

AV. FRANK PORTELLI, LLD
Għar-Reġistratur, Qrati Ċivili u Tribunali

The First Grievance – Wrong and unjust decision as regards responsibility and solidarity.

That from the contents of the judgement given by the Honourable First Court in the names premised on the 12th Januay, 2021, it manifestly results that in order to determine the responsibility or lack of it of the respondents/parties called ino the cause in connection with the present dispute the same Honourable Court relied solely on the fact that in the course of the criminal proceedings taken against them the said respondents/parties called into the suit had registered an admission;

… omissis …

The Second Grievance – Wrong Application of the Law

That without prejudice to the above the Honourable Court of First Instance applied wrongly the law relating to prescription when it paased on to uphold the preliminary plea brought forward by the parties called to the suit respondents Jurgen Debattista and Lee Martin;

… omissis …

The Third Grievance – Judicial Expenses

That in the last place and without prejudice to all that above brought foweard reference is made to the fact that the Honourable First Hall condemned the interpellant appellant together with the redspondent Derek Lee D'Amato and the party called into the cause Emanuel Theuma to pay all the judicial exzpenses incurred by the plaintiff.

Thus the interpellant humbly prays that this Honourable Court vary the judgement in the names premised given by the First Hall Civil Court, on the 12th January, 2021, as demanded in this application.

With costs of both instances against the respondent Derek Lee D'Amato and the parties called into the cause Lee Martin. Jurgen Debattista and Emanuel Theuma.

The Application in the names Joanna Hili and John Martin et, Aplication number 373/08, has been deferred for hearing to the 22nd June, 2022, at 8.15 a.m.

Notify: 1) Lee Martin, 158, Shamrock, Flt 2, Triq il-Kanun, Santa Venera
2) Emanuel Theuma, 15, Trejqet Sant' Anna, Ħamrun

Registry of the Superior Courts (Appeals), today 20th April, 2022

ADV. FRANK PORTELLI, LLD
For the Registrar, Civil Courts and Tribunals

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