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NOTIFIKAZZJONI TAL-GVERN

Nru. 1310

IL-PRIM MINISTRU JERĠA' LURA FUQ DMIRIJIETU

NGĦARRFU għall-informazzjoni ta' kulħadd illi l-Onor. Robert Abela, KUOM, BA, LLD, Adv. Trib. Melit., MP, reġa' daħal għal dmirijietu ta' Prim Ministru nhar is-Sibt, l-1 ta' Ottubru, 2022, u l-arranġamenti magħmulin bin-Notifikazzjoni tal-Gvern Nru. 1288 tad-29 ta' Settembru, 2022, ma baqgħux iseħħu f'dan is-sens.

It-3 ta' Ottubru, 2022
(OPM/19/2022)

ATT DWAR GVERN LOKALI
(KAP. 363)

Avviż

Bis-saħħa tar-regolament 88 tat-Tielet Skeda tal-Att dwar Kunsilli Lokali (Kap. 363), il-Kummissjonarji Elettorali b'dan javżaw illi se ssir elezzjoni każwali biex jimtela l-post ta' Kunsillier għall-Kunsill Lokali ta' Il-Mosta.

J. FENECH
A/Kummissjonarju Elettorali Prinċipali

Uffiċċju tal-Kummissjoni Elettorali,
Ex-Trade Fair Grounds,
In-Naxxar.

It-3 ta' Ottubru, 2022

ATT DWAR GVERN LOKALI
(KAP. 363)

Avviż

Skont id-dispożizzjonijiet tar-regolament 89 tat-Tielet Skeda tal-Att dwar Kunsilli Lokali (Kap. 363), il-Kummissjonarji Elettorali javżaw illi huma se jkunu fl-Uffiċċju tal-Kummissjoni Elettorali, Ex-Trade Fair Grounds, In-Naxxar, nhar it-Tlieta, l-4, l-Erbgħa, il-5 u l-Ħamis, is-6 ta' Ottubru, 2022 mill-10.00 a.m. sa nofsinhar biex jirċievu nominazzjonijiet ta' kandidati għall-elezzjoni każwali ta' Kunsillier għall-Kunsill Lokali ta' Il-Mosta.

J. FENECH
A/Kummissjonarju Elettorali Prinċipali

Uffiċċju tal-Kummissjoni Elettorali,
Ex-Trade Fair Grounds,
In-Naxxar.

It-3 ta' Ottubru, 2022

GOVERNMENT NOTICE

No. 1310

RESUMPTION OF DUTIES BY THE PRIME MINISTER

IT is notified for general information that the Hon. Robert Abela, KUOM, BA, LLD, Adv. Trib. Melit., MP, resumed duties as Prime Minister on Saturday, 1st October, 2022, and that the arrangements made by Government Notice No. 1288 of the 29th September, 2022, ceased to have effect accordingly.

3rd October, 2022

LOCAL GOVERNMENT ACT
(CAP. 363)

Notice

By virtue of regulation 88 of the Third Schedule of the Local Councils Act (Cap. 363), the Electoral Commissioners hereby notify that a casual election is being held to fill the vacancy of a Councillor for the Local Council of Il-Mosta.

J. FENECH
A/Chief Electoral Commissioner

Office of the Electoral Commission,
Ex-Trade Fair Grounds,
In-Naxxar.

3rd October, 2022

LOCAL GOVERNMENT ACT
(CAP. 363)

Notice

In accordance with the provisions of regulation 89 of the Third Schedule of the Local Councils Act (Cap. 363), the Electoral Commissioners notify that they will be in attendance at the Office of the Electoral Commission, Ex-Trade Fair Grounds, In-Naxxar, on Tuesday, 4th, Wednesday, 5th and Thursday, 6th October, 2022 from 10.00 a.m. to noon to receive nominations of candidates for the casual election of a Councillor for the Local Council of Il-Mosta.

J. FENECH
A/Chief Electoral Commissioner

Office of the Electoral Commission,
Ex-Trade Fair Grounds,
In-Naxxar.

3rd October, 2022

AVVIŻI TAL-QORTI – *COURT NOTICES*

1711

Ikun jaf kulħadd illi permezz ta' digriet mogħti fit-12 ta' Awwissu 2022 mogħti mill-Qorti tal-Maġistrati (Għawdex) Ġurisdizzjoni Superjuri Sezzjoni Ġenerali, fl-atti tar-rikors ġuramentat numru 42/2017 fl-ismijiet Joseph Sant et -vs- Noel Farrugia, ġiet ordnata l-pubblikazzjoni tal-estratt hawn taħt riprodott u dan sabiex iservi ta' notifika fil-konfront tal-intimat Noel Farrugia ta' Vitorja Flat 9, Triq ta' Karkar, Xagħra, Għawdex, u dan ai termini tal-Artikolu 187(3) tal-Kap. 12 tal-Liġijiet ta' Malta.

Rikors tal-atturi kif rappreżentati minn l-atturi Joseph Sant (KI 18968M) u Laura Sant (KI 10667G) ta' 176, Triq Papa Ġwanni Pawlu II, Victoria, Għawdex;

Jesponu bil-qima:-

Illi permezz ta' digriet mogħti fl-14 ta' April 2021, din l-Onorabbli Qorti ħatret lill-Periti Alexei Pace, Edward Scerri u Valerio Schembri bħala periti perizjuri f'din il-kawża, u permezz ta' liema perizja huma ħarġu rapport alternattiv għal dak tal-Perit Tekniku oriġinali dwar il-valur lokatizju tal-fond in kwistjoni.

Illi però fatt li kien sfuġġ lil kulħadd kien dak li permezz ta' nota ppreżentata fil-31 ta' Ottubru 2019, li għal kull bwon fini, kopja tagħha qed tiġi annessa bħala X, il-konvenut Farrugia kien irrinunzja għall-ħatra ta' periti perizjuri.

Illi għaldaqstant, il-Periti Perizjuri ġew maħtura bi żvista, għax sfuġġiet din in-nota, bil-konsegwenza li r-rapport tal-istess Periti perizjuri m'għandux jibqa' in atti.

Għaldaqstant l-esponenti jitolbu bil-qima lil din l-Onorabbli Qorti sabiex tirrevoka contrario imperio d-digriet mogħti minnha fl-14 ta' April 2021, filwaqt ukoll li tisfilza r-rapport tal-Periti Perizjuri preżentat fl-14 ta' Settembru 2021.

Illi permezz ta' digriet mogħti fil-5 ta' Mejju 2022 mogħti mill-Qorti tal-Maġistrati (Għawdex) Ġurisdizzjoni Superjuri Sezzjoni Ġenerali, fl-istess atti tar-rikors ġuramentat indikat, ġiet ordnata notifika lill-kontroparti b'erbat ijiem żmien għar-risposta.

Reġistru tal-Qorti tal-Maġistrati (Għawdex)

Illum 30 ta' Awwissu 2022

DANIEL SACCO
Deputat Reġistratur Għar-Reġistratur
Qrati u Tribunali (Għawdex)

It is hereby notified that by a decree issued on the 12th of August 2022 issued by the Court of Magistrates (Gozo) Superior Jurisdiction, General Section, in the records of sworn application number 42/2017 in the names Joseph Sant et -vs- Noel Farrugia, the publication of the extract reproduced below was ordered in order to serve as service against the respondent Noel Farrugia of Vitorja Flat 9, Triq ta' Karkar, Xagħra, Gozo, and this in terms of Article 187(3) of Cap. 12 of the Laws of Malta.

Application of the plaintiffs as represented by the plaintiffs Joseph Sant (ID 18968M) and Laura Sant (ID 10667G) of 176, Triq Papa Gwanni Pawlu II, Victoria, Gozo;

With respect:

That in virtue of a decree given on the 14th April 2021, this Honorable Court appointed Architects Alexei Pace, Edward Scerri and Valerio Schembri as additional experts in this case, and through this reference they issued an alternative report to that issued by the original expert regarding the leasing value of the property in question.

That, however, a fact that was overlooked by everyone was that through a note presented on the 31st October 2019, a copy of which is being attached as X, the defendant Farrugia had renounced to his right to demand the appointment of additional experts.

That therefore, the additional experts were appointed by mistake, because of this overlooked note, and consequently the report of the same additional referees should not remain in the acts.

Therefore, the plaintiffs respectfully request this Honorable Court to revoke contrario imperio the decree given on the 14th April 2021, while also extracting the report of the additional experts presented on 14th September 2021.

That through a decree given on 5 May 2022 by the Court of Magistrates (Gozo) Superior Jurisdiction General Section, in the same acts of the indicated sworn application, notification to the counterparty with four days' time was ordered for the replay.

Registry of the Court of Magistrates (Gozo)

Today the 30th of August 2022

DANIEL SACCO
Deputy Registrar For the Registrar
Courts and Tribunals (Gozo)

1712

B'digriet mogħti mill-Qorti tal-Appell (Sede Inferjuri) fit-23 ta' Mejju 2022, fl-atti tal-Rikors tal-Appell Nru 13/2022 fl-ismijiet Abdel Halim Ibrahim (KI 487695(M) u Budget Service Limited (C-1285) vs L-Awtorità tal-Ippjanar u l-kjamat fil-kawża "In-Sight Investments Limited" ordnat is-segwenti pubblikazzjoni a tenur tal-Artikolu 187(3) et sequitur tal-Kap 12 tal-Liġijiet ta' Malta.

Permezz ta' Rikors tal-Appell Nru 13/2022 fl-ismijiet Abdel Halim Ibrahim (KI 487695(M)) u Budget Service Limited (C-1285) vs L-Awtorità tal-Ippjanar u l-kjamat fil-kawża "In-Sight Investments Limited", l-appellanti Abdel Halim Ibrahim (KI 487695(M) u Budget Service Limited (C-1285) intavolaw appell quddiem it-Tribunal ta' Reviżjoni tal-Ambjent u Ipjannar fejn opponew il-ħruġ tal-permess numru PA/02819/20, li nħareġ fil-15 ta' April 2021 favur is-soċjetà appellata

Illi inforza ta' deċiżjoni tat-Tribunal ta' Reviżjoni tal-Ambjent u l-Ipjannar, datata l-1 ta' Marzu, 2022, dan ċaħad l-appell tal-appellanti u kkonferma il-permess kif maħruġ f PA/2819/20. Illi l-appellanti qegħdin jissollevaw żewġ aggravji: (i) il-permess ta' regolarizzazzjoni RG 4109/18 qatt ma messu ġiet awtorizzat għaliex il-proċedura kienet nieqsa minn wieħed mir-rekwiżiti importanti u tassattivi qabel il-permess tar-regolarizzazjoni seta' jinghata u (ii) l-appellanti ma jaqblux mal-konkluzjonijiet tat-Tribunal ta' Reviżjoni ta' Ambjent u Ipjannar meta kkonkluda li mis-sustanza tal-permess ta' regolarizzazzjoni ma nbidel xejn.

Għaldaqstant l-appellanti filwaqt li jagħmlu referenza għall-provi gia prodotti u jirriservaw li jipproduċi dawk il-provi kollha permessi mill-Liġi, jitolbu bir-rispett li dina l-Onorabbli Qorti tal-Appell jogħġobha tirrevoka l-preċitata deċiżjoni tat-Tribunal ta' Reviżjoni tal-Ambjent u Ipjannar tal-1 ta' Marzu 2022 fl-ismijiet premessi, u minflok tiddeciedi billi tilqa' t -talba tal-appellant u tirrevoka l-permess maħruġ mill-Awtorità tal-Ippjanar bin-numru PA/02819/20.

Ir-Rikors tal-Appell Nru 13/2022 fl-ismijiet Abdel Halim Ibrahim (KI 487695(M) u Budget Service Limited (C-1285) vs L-Awtorità tal-Ippjanar u l-kjamat fil-kawża "In-Sight Investments Limited" jinsab iddiferit għad-disgħa (9) ta' Novembru 2022 fid-9:15 am.

Notifika: Budget Service Limited - C 12855 - Ex BOV office, Park Towers Mall,

Triq G. Borg Olivier, San Ġiljan

By decree delivered by the Court of Appeal (Inferior Jurisdiction) on 23 May 2022, in the records of Appeal Application No. 13/2022 in the names Abdel Halim Ibrahim (KI 487695(M) and Budget Service Limited (C-1285) vs The Planning Authority and the called in suit "In-Sight Investments Limited" ordered the following publication in terms of section 187(3) et sequitur of Chapter 12 of the Laws of Malta.

By means of Appeal Application No. 13/2022 in the names Abdel Halim Ibrahim (ID 487695(M)) and Budget Service Limited (C-1285) vs The Planning Authority and the called in suit "In-Sight Investments Limited", the appellants Abdel Halim Ibrahim (ID 487695(M) and Budget Service Limited (C-1285) filed an appeal before the Environment and Planning Review Tribunal wherein they objected to the issuance of permit number PA/02819/20, which was granted on 15 April 2021 in favour of the respondent company.

Whereas in virtue of a decision of the Environment and Planning Review Tribunal, dated 1st March 2022, it rejected the appellants' appeal and confirmed the permit as issued in PA/2819/20. The appellants raise two grounds of appeal: (i) the regularization of permit RG 4109/18 should never have been authorized because the procedure was lacking in one of the important and mandatory requirements before the regularization permits could be granted and (ii) the appellants do not agree with the conclusions of the Environment and Planning Review Tribunal when it concluded that nothing has changed from the substance of the regularization permit.

Therefore, the appellants whilst making reference to the evidence produced and reserving the right to produce all the evidence allowed by law, respectfully request that this Honourable Court of Appeal revokes the aforementioned decision of the Environment and Planning Review Tribunal of 1 March 2022 in the aforementioned names, and instead decides by upholding the appellants' request and revokes the permit issued by the Planning Authority bearing number PA/02819/20.

Appeal Application No. 13/2022 in the names Abdel Halim Ibrahim (ID 487695(M) and Budget Service Limited (C-1285) vs The Planning Authority et is deferred to the nine (9) November 2022 at 9:15 am.

Notification: Budget Service Limited - C 12855 - Ex BOV office, Park Towers Mall,

Triq G. Borg Olivier, San Ġiljan

Reġistru tal-Qorti tal-Appell (Sede Inferjuri) illum 29 ta' Settembru 2022

DR FRANCO BONDIN LL.D., M.JUR.
Għar-Reġistratur, Qrati Ċivili u Tribunali.

Registry of the Court of Appeal (Inferior Jurisdiction) this day 29 of September 2022

DR. FRANCO BONDIN LL.D., M.JUR.
For the Registrar, Civil Courts and Tribunals.

1713

B'digriet mogħti mill-Qorti tal-Appell (Sede Inferjuri) fil-25 ta' Lulju 2022, fl-atti tar- Rikors tal-Appell Nru 20/2015 fl-ismijiet North Services Limited (C18689) vs Meir Assolunie (K.I. 42820A) ordnat is-segwenti pubblikazzjoni a tenur tal-Artikolu 187(3) et sequitur tal-Kap 12 tal-Liġijiet ta' Malta.

Permezz ta' Rikors tal-Appell Nru 20/2015 fl-ismijiet North Services Limited (C18689) vs Meir Assolunie (K.I. 42820A), l-appellant Meir Assolunie (K.I. 42820A) intavola rikors tal-appell fit-13 ta' Ġunju, 2022 wara li ppremetta li ħass ruħu aggravat b'sentenza fl-ismijiet premessi, datata l-24 ta' Mejju 2022, mogħtija mill-Bord li Jirregola I-Kera u ressaq dan l-appell billi l-ħames aggravji tal-appellant, huma ċari u manifesti, u jikkonsistu fis-segwenti: (i) il-Bord msemmi agixxa extra petita meta akkorda arretrati ta' kera fil-forma ta' danni; (ii) it-terminazzioni ma kinitx unilaterali iżda kien hemm biżżejjed provi li juru lis-soċjetà appellata irrinunziat għall-kirja; (iii) billi kuntratt huwa liġi bejn il-partiiiet ma hemm xejn fih dwar tali terminazzioni (iv) il-prinċipju ta' inadempleni non est ademplentum (iv) il-Bord imsemmi żbalja meta akkorda parti mill-ispejjeż tal-mandat ta' sekwestru imsemmi fir-rikors promotur lill-istess appellat.

Għaldaqstant, l-appellant, filwaqt li jagħmel referenza għall-provi kollha migjuba quddiem il-Bord li Jirregola l-Kera, jitlob umilment li din l-Onorabbli Qorti jogħġobha thassar, tirrevoka u tikkancella s-sentenza mogħtija mill-Bord imsemmi, fl-ismijiet premessi datata l-24 ta' Mejju 2022, u konsegwentement, wara li tilqa' l-aggravji tal-appellant, tiċħad it-talbiet tas-soċjetà appellata, u dan taħt dawk il-provvedimenti li jidrilha xierqa u opportuni. Bl-ispejjeż taz-żewġ istanzi kontra s-soċjetà appellata.

Ir-Rikors tal-Appell Nru 20/2015 fl-ismijiet North Services Limited (C18689) vs Meir Assolunie (K.I. 42820A) jinsab iddiferit għat-tnax (12) ta' Ottubru 2022 fl-10:00 am.

Notifika: 12, Triq l-Gholjiet, Mellieħa, Malta

Reġistru tal-Qorti tal-Appell (Sede Inferjuri) illum ta' 29 ta' Settembru 2022

DR FRANCO BONDIN LL.D., M.JUR.
Għar-Reġistratur, Qrati Ċivili u Tribunali

By means of a decree delivered by the Court of Appeal (Inferior Juridiction) on 25th July 2022, in the acts of Appeal Application No. 20/2015 in the names North Services Limited (C18689) vs Meir Assolunie (K.I. 42820A) ordered the following publication pursuant to Article 187(3) et sequitur of Chapter 12 of the Laws of Malta.

By means of Appeal Application No. 20/2015 in the names North Services Limited (C18689) vs. Meir Assolunie (ID 42820A), the appellant Meir Assolunie (K.I. 42820A) filed an appeal on 13th June 2022 after having premised that he felt aggrieved by a judgment in the mentioned names, dated 24th May, 2022, delivered by the Rent Regulation Board and filed this appeal since the appellant's five grounds of appeal are clear and manifest, and consist of the following: (i) the said Board acted extra petita when it granted rent arrears in the form of damages; (ii) the termination was not unilateral but there was enough evidence to show that the appellant company had renounced the lease; (iii) since a contract is law between the parties, there is nothing therein about such termination (iv) the principle of inadempleni non est ademplentum (iv) the said Board committed a mistake when it granted part of the costs of the garnishee order mentioned in the original application to the same respondent.

Therefore, the appellant, while making reference to all the evidence brought before the Rent Regulation Board, humbly requests that this Honourable Court annuls, revokes and cancels the judgment given by the said Board, in the aforementioned names dated 24 May 2022, and consequently, after upholding his appeal, it dismisses the requests of the respondent company, and this under those provisions which it deems appropriate and opportune. With the costs of the two instances against the appellant company.

Appeal Application No. 20/2015 in the names North Services Limited (C18689) vs. Meir Assolunie (K.I. 42820A) is deferred to the twelve (12) October 2022 at 10:00 am.

Notification: 12, Triq l-Gholjiet, Mellieħa, Malta

Registry of the Court of Appeal (Inferior Jurisdiction) this day 29 September 2022

DR FRANCO BONDIN LL.D., M.JUR.
For the Registrar, Civil Courts and Tribunals

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