

ROYAL COURT  
(Samedi Division)

28th July, 1989

Before: The Bailiff and  
Jurats Lucas and Bonn

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Ex parte Representation by  
Douglas John Woolley, for  
an Order under Article 38A of the  
Loi (1861) sur les Sociétés à  
responsabilité limitée, setting  
aside the dissolution of the Company  
"Salvors International, Limited,"  
and reinstating the said Company.

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Mr. Woolley on his own behalf.

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**JUDGMENT**

**THE BAILIFF:** The Court has read the papers in Chambers before we sat. It is clear to us that in 1974 you instituted an action, Mr. Woolley, before this Court against the Company, which you did not pursue. As the Royal Court held in December, 1988, you were guilty of inordinate delay.

The Company had been removed from the register on the 29th December, 1983, and last year you sought to have the restriction imposed in 1974 staying your action until you paid £500 as security for costs, lifted. That application was refused by the Royal Court on the 17th November, 1988, and your appeal against the Royal Court's decision of the 15th

December, 1988, to dismiss your action under Rule 6/20(1), heard in April this year in the Court of Appeal, failed.

You now wish to revive the Company because, I think, as I understand it, you say that two or possibly three individuals founded that company and it was with them that you had the contract which was subsequently assigned (as I understand you to say, although you did not actually use those words) to the Company. Be that as it may, you have not chosen to sue those individuals and that is a separate matter.

In the absence of our being satisfied that you have a claim - your action has been dismissed anyhow - and in the absence of any indication as to the Company's assets: it appears to have nothing; it has been dissolved without assets, we do not think that it would be right to reinstate the Company. Your claim would now appear to be against the individuals. You are free to pursue them (as was said by the Court of Appeal) in London, if you wish, with what result of course would remain to be seen. The application is refused.

n.b. no authorities.