

167.

ROYAL COURT  
(Samedi Division)

25th August, 1995

Before: The Deputy Bailiff, and  
Jurats Le Ruez and Rumfitt.

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<u>Between:</u>	Hambros Bank (Jersey) Ltd	<u>Plaintiff</u>
<u>And:</u>	David Eves	<u>Defendant</u>

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Application by the Defendant on 18th August, 1995, under Rule 6/7(1) of the Royal Court Rules 1992, as amended, to place an Order of Justice, praying *inter alia* that the Defendant vacate the property within 1 week of that date.

On 18th August, the Court refused the application and confirmed the Order of Justice, after extending to 2 weeks the period allowed the Defendant to vacate the property.

Reasons for the Court's decision.

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The Defendant on his own behalf.  
Advocate A.P. Roscouet for the Plaintiff.

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JUDGMENT

**THE DEPUTY BAILIFF:** We had before us an Order of Justice seeking the immediate eviction of the Defendant together with his wife and family from "The Rest", Green Street, St. Helier, Jersey, Channel Islands.

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The Order sought was the culmination of a massive attempt by Mr. Eves in every available court (including the Privy Council) to forestall the event.

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Mr. Eves asked for the matter to be placed on the pending list. He relied on the mandatory nature of Rule 6/7(1). The Court considered the application as vexatious, frivolous, and an abuse of the process, and refused to allow that to happen. Mr. Eves in turn refused to accept the decision.

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Mr. Eves was told that the Court was the master of its own procedure and that the only concession would be that rather than one week's delay, he would be given two weeks. He was told that the court would not - despite his protests that "he would never

lose his home" - alter the decision that it had made, and that only a superior court could do that.

5 The Greffier's record following the *dégrèvement* had been registered and in the court's opinion, Mr. Eves had no particular standing.

No Authorities.