



محكمة قطر الدولية
ومركز لتسوية المنازعات
QATAR INTERNATIONAL COURT
AND DISPUTE RESOLUTION CENTRE

Neutral Citation: [2019] QIC (F) 7

**In the name of His Highness Sheikh Tamim bin Hamad Al Thani,
Emir of the State of Qatar**

**IN THE CIVIL AND COMMERCIAL COURT
OF THE QATAR FINANCIAL CENTRE
FIRST INSTANCE CIRCUIT**

17 September 2019

CASE No: 5 of 2019

ABDULLA JASIM AL TAMIMI

Claimant

v

**(1) QATAR FINANCIAL CENTRE AUTHORITY
(2) QATAR FINANCE AND BUSINESS ACADEMY LLC
(3) YOUSEF AL JAIDA**

Defendants

JUDGMENT

Members of the Court:

**Justice Bruce Robertson
Justice Arthur Hamilton
Justice George Arestis**

ORDER

1. The claim is dismissed; and
2. The Claimant is to pay the reasonable costs of the Defendants, such costs to be assessed by the Registrar if not agreed.

JUDGMENT

1. This is a further chapter in the lengthy saga of litigation arising from the former employment of Mr Al-Tamimi. From 2012 he was employed by the QFBA. Difficulties arose in the employment relationship which eventually lead to multiple claims dealt with in this Court in Case Nos 10, 11 and 14 of 2018 and Case No 1 of 2019 and in the Appellate Division in Case Nos 3 and 4 of 2018.
2. The present claim was commenced in April 2019 by the Claimant against only Yousef Al Jaida but subsequently the QFBA and the QFCA were also included as Defendants.
3. The claim contained some repetition of matters which had been conclusively determined in the previous litigation but raised new issues relating to Mr Al Tamimi's claim for a 2018 bonus.
4. A comprehensive Defence, filed in May 2019, contended that the only proper Defendant in the suit was the QFBA, that Mr Al Tamimi had no entitlement to a 2018 Bonus and that he had received all payments owing to him from his previous employment from which he was dismissed with notice on 10 December 2018.
5. At the end of May, Mr Al-Tamimi responded to this with what was described as 'Defences' in which he stated

“1.-I request the Court to allow me to formally submit my Cases to the Administrative Circuit of the Court of First Instance.

2.-I request the Court to assign Qatari judges and to adopt the Arabic language only.

3.-To assign a human resources expert among individuals officially registered with the Qatari Ministry of Justice to investigate my grievances and submit a comprehensive report to the Court.”

6. The Defendants challenged all these claims. The Court proceeded to deal with these procedural matters on the papers without an oral hearing.
7. In a Judgment of 24 July 2019 each of these claims were refused, although the Court reiterated that Mr Al Tamimi was able to file documents in Arabic and to participate in that language in any hearing.
8. Thereafter, Mr Al-Tamimi responded further, engaging with matters which had already been ruled upon, but did not relate to the substantive issues of his claim.
9. The outstanding aspects of his claim were set down for hearing as a fixture on Tuesday 17 September 2019. On 25 August 2019, Mr Al Tamimi emailed the Registrar. The pertinent part of that correspondence provided

“I would like to inform you that I have decided to withdraw all my cases against the defendant “Yousef Al Jaida” from the Qatar Financial Center Court, so please close all cases against him as of Sunday 25 August 2019.”

10. The Registry responded as follows:

“The Court has noted that you have withdrawn your outstanding claims against Mr Yousef Al Jaida. Please could you also confirm whether you are withdrawing your claims against the QFCA and the QFBA who are also named Defendants in these claims.”

11. In the meantime, the Defendants raised issues about existing timetable orders while there remained uncertainty as to whether or not the case would be proceeding to a hearing.

12. There were then oral communications between Mr Al Tamimi and the Registry as to the position of the other Defendants. He made clear his view that these Defendants (the QFCA and QFBA) had not been introduced by him into these proceedings.

13. To ensure that there was no room for misunderstanding, the Registry emailed all parties on 1 September 2019 saying

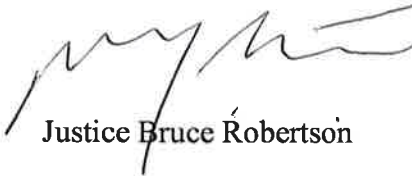
“Mr. Al Tamimi has not responded, in writing, to the requests by the Court to confirm that the proceedings against the remaining Defendants, namely the QFCA and QFBA, are to be withdrawn. Unless Mr. Al Tamimi responds, in writing, by 4pm on Wednesday 4 September 2019, the Court will consider that **all** claims have been **withdrawn** as against **all** parties, with liberty to the Defendants to make an application in respect of costs.”

There was no response.

14. Mr Al Tamimi did not appear in Court on 17 September 2019. The Court was satisfied that, as against the entire background, Mr Al Tamimi had withdrawn his case and accordingly we dismissed the claim in its entirety in open court.

15. Mr Jaffey made an application for costs on behalf of all the Defendants, all of whom he represented. There is nothing before us which suggests that the normal rule by which costs follow the outcome should not apply. Accordingly, there will be an order that the Claimant pay the Defendant its reasonable costs, if necessary to be assessed by the Registrar.

By the Court,


Justice Bruce Robertson



Representation:

The Claimant did not attend and was not represented.

The Defendants were represented by Mr Ben Jaffey QC, Blackstone Chambers, London.