

NP2020-63

NP2020-46

INDUSTRIAL TRIBUNAL

**COURT #5 SAFFREY SQUARE, EAST & BAY STREETS, NEW
PROVIDENCE**

COMMONWEALTH OF THE BAHAMAS

Before

Ingrid Cooper-Brooks (Vice President)

(Sitting Alone)

WILBERT ODEUS & EUGENE MICHET

Applicants

**DREAM YACHT CHARTER, HARBOUR VIEW MARINA,
MARSH HARBOUR, ABACO**

Respondent

ORDER OF DISMISSAL

APPEARANCES

For the Applicants

Wilbert Odeus
Eugene Michet

For the Respondent

Mr. Alpin Russell III

WHEREAS:

1. By Certificate of Referral dated 5th March, 2020 the Minister referred the subject Trade Disputes to the Industrial Tribunal and the Applicants filed Originating Applications on the 7th July, 2020; and
2. On the 8th December, 2020 the matter was set for Case Management hearing and on 17th December, 2020 an Order on Directions was issued by consent of the parties for the Applicant and the Respondent, inter alia, to file Skeleton Arguments and Witness Statements on or before the 28th and 29th January, 2021, respectively; and
3. On the 11th April, 2022 the matter was again listed for Case Management hearing as the said Order on Directions had not been complied with, and a fresh Order on Directions was issued for the Applicant and the Respondent, inter alia, to file Witness Statements and Skeleton Arguments on or before the 6th and 10th May, 2022 respectively; and
4. The matter was subsequently fixed for trial on 18th October, 2022, at which time Counsel for the Respondent made application for it to be struck out for want of prosecution as the Applicants have been dilatory in prosecuting the matter since it started, which has greatly disadvantaged the Respondent who has since changed ownership and staff, and has no knowledge of the Applicants or of the alleged events; and

IT IS HEREBY ORDERED THAT:

In view of the above the Originating Applications filed herein on 7th July, 2020 are struck out pursuant to **Rule 12(1) (f) of the Industrial Relations (Tribunal Procedures) Rule, 2010** for want of prosecution and the matters are dismissed.

AND THIS IS THE ORDER OF THIS TRIBUNAL

Dated this 18th day of October, A.D., 2022

Ingrid Cooper-Brooks
Vice President
Industrial Tribunal