

IN THE COURT OF APPEAL, FIJI
[On Appeal from the High Court]

CIVIL APPEAL NO. ABU 009 of 2025
[Companies Action No. 43 of 2024]

BETWEEN : **TAU SPORTS PTE LIMITED** a limited liability company
having its registered office Suva at Level 1,DN Patel Building,
23 Raojibhai Patel Street, Suva.

Appellant

AND : **SUVA CENTRAL PTE LIMITED** a company incorporated in
Fiji and in accordance with the laws of Fiji and registered in Fiji
having its registered office, 12, BSP Suva Central Building Pratt,
Street, Suva.

Respondent

Coram : **Prematilaka, RJA**

Counsel : **Ms. S. Narayan for the Appellant**
Ms. S. Gounder for the Respondent

Date of Mention : **12 June 2025**

Date of Ruling : **12 June 2025**

RULING IN CHAMBERS


[1] The appellant filed summons (18 February 2025) *inter alia* seeking leave to appeal the decision of the High Court dated 14 November 2024 striking out its application (17 October 2024) to set aside the statutory demand (08 October 2024) served on the appellant by the respondent and alternatively an order staying all proceedings in the High Court pursuant to the said statutory demand.

[2] However, before this matter was heard by this court, the appellant has filed two notices of discontinuance (07 April 2025 & 16 May 2025) of the leave to appeal application with the signatures of the solicitors of both parties seeking to wholly discontinue this matter. The respondent has apparently informed the appellant that the former does not intend to pursue winding up proceedings against the latter.

Orders of the Court:

1. *Appeal is dismissed in terms of section 20(1)(h) of the Court of Appeal Act.*
2. *No order as to costs as agreed between the parties.*




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Hon. Mr. Justice C. Prematilaka
RESIDENT JUSTICE OF APPEAL

Solicitors:

Reddy Nandan Lawyers for the Appellant
Neel Shivam Lawyers for the Respondent