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

In the name of His Highness Sheikh Tamim bin Hamad Al Thani,

Emir of the State of Qatar

Neutral Citation: [2025] QIC (F) 22

IN THE QATAR FINANCIAL CENTRE

CIVIL AND COMMERCIAL COURT

FIRST INSTANCE CIRCUIT

Date: 6 May 2025

CASE NO: CTFIC0042/2024

THALES QFZ LLC

Claimant

v

ALJABER ENGINEERING COMPANY W.L.L

Defendant

JUDGMENT

Before:

Justice Fritz Brand

Justice Ali Malek KC

Justice Dr Muna Al-Marzouqi

Judgment

1. The trial in these proceedings was listed for a hearing on 27 April 2025. On the preceding day, the Defendant applied to adjourn the hearing on the ground that its sole witness, Mr FN, had been taken into police custody in circumstances, and for reasons, unknown to the Defendant. The Defendant believed that Mr FN would be unable to attend either the hearing on 27 April 2025 or the reserved date of 28 April 2025.

2. The Registrar refused the application but indicated that the Defendant could renew the application before the Court at the hearing.

3. At the commencement of the hearing, Mr Guillaume Hess, appearing for the Defendant, renewed the application before the Court. He outlined the limited information available to the Defendant and the steps taken to ascertain the circumstances of Mr FN's detention. He noted that the Claimant had consented to an adjournment, conditional on the Defendant paying the resulting costs. He submitted that fairness required the trial to be adjourned.

4. The Court granted the adjournment for the following reasons:

    i. Although this is the second occasion on which the hearing has been adjourned on the day it was listed, the circumstances were unforeseeable. Mr FN's detention appears to have been unexpected.

    ii. Mr FN is a material witness for the Defendant. The Defendant would be prejudiced if it were unable to call him to give evidence.

    iii. The Claimant is prejudiced by the delay resulting from the adjournment, but will be compensated by an order for costs in respect of this hearing and the earlier hearing, including a payment on account. As noted above, the Claimant consented to the adjournment on terms that protected its position.

    iv. The Court considered whether the Claimant's witness could give evidence at this hearing, with Mr FN's evidence to be taken subsequently. However, such an approach would be unsatisfactory. The case was estimated to be a single-day hearing, and it is important that all evidence be heard together.

5. Following the Court's ruling, there was a detailed discussion regarding the necessary directions for the trial. The trial has been re-listed for 18 June 2025.

By the Court,

[signed]

Justice Ali Malek KC

A signed copy of this Judgment has been filed with the Registry.

Representation

The Claimant was represented by Mr Laurence Page of Counsel (4 Pump Court, London, UK) instructed by Al Tamimi & Company (Dubai, UAE).

The Defendant was represented by Mr Guillaume Hess of K&L Gates LLP (Doha, Qatar).

DIGITALLY SIGNED AND VERIFIED
موقّع رقمياً ومعتمد