

ROYAL COURT

11th February, 1988

Before: V.A. Tomes, Esq., Deputy Bailiff  
assisted by Jurats C.L. Gruchy  
and Mrs M.J. Le Ruez

BETWEEN

John Glasson Plumbing and  
Heating Engineers Limited

PLAINTIFF

AND

Select Hotels (Jersey) Limited

DEFENDANT

Advocate R.G. Day for the Plaintiff  
Advocate R.J. Renouf for the Defendant

Decision

(Reasoned Judgment to follow)

THE DEPUTY BAILIFF: In our unanimous judgment, both limbs of the defence fail.

We are satisfied that the plaintiff was entitled to sue the defendant, and that it succeeds on estoppel.

We are satisfied on the balance of probabilities that there was no fixed price contract and that this was a contract for labour to be done on a labour and materials basis. It follows that the plaintiff is entitled to be paid its reasonable account, which has not been challenged.

Therefore we give judgment to the plaintiff in the sum of £3,795.81 less the sum of £2,500 already paid.

The plaintiff's costs will be paid by the defendant on a taxation basis.

The Court will give a reasoned judgment, in particular having regard to the legal arguments on the issue of estoppel, which will be circulated in due course.

Time for appealing will run from the date of the issue of the reasoned judgment.

However, the judgment is not suspended pending a possible appeal and is effective today.