



IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

D00RM168 – IN THE CENTRAL LONDON COUNTY COURT

BEFORE THE HONOURABLE MR. JUSTICE GARNHAM

BETWEEN:

THE CO-OPERATIVE BANK PLC
T/A BRITANNIA

Claimant/Respondent

-and-

NEELU BERRY

Defendant/Respondent



UPON READING the application of the Defendant/Applicant

AND UPON HEARING the Applicant the Claimant/Respondent being neither
present or represented

IT IS ORDERED that:

1. The Application be refused.
2. Permission to Appeal refused.

Dated the 14th day of September 2018

BY THE COURT

Reasons for allowing or refusing permission to appeal (including referral to the Court of Appeal (Civil Division))

The judge must complete this form on allowing or refusing an application for permission to appeal at a hearing or trial

Title of Case/Claim

The Co-Operative Bank PLC T/A/ Britannia -v- Neelu Berry

Case/claim No

D00RM168

Heard before (insert name of Judge)

Date of hearing

The Honourable Mr. Justice Garnham

14th September 2018

Nature of Hearing/trial

Application

Result of Hearing/trial

Application refused

Defendant's/Applicant's application for permission to appeal

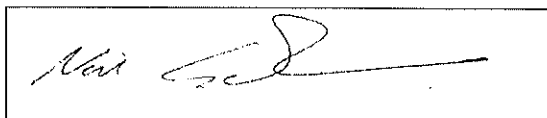
Allowed

Refused

Brief reasons for decision to allow or refuse appeal
(to be completed by the Judge):

The applicant did not establish a properly arguable case, but for the purposes of her application, I was willing to assume she would be able to do so. In my view, however, even on that assumption, damages would be an adequate remedy. Accordingly, applying *American Cyanamid*, it was not appropriate to grant interim injunctive relief.

Judge's signature



If permission is given the judge must also complete the reverse of this form

Note: The appellant must file a copy of this completed form at the appeal court with the appellant's notice when issuing the appeal.

Do you consider the appeal should be referred to the Court of Appeal (Civil Division)?

Yes

No

If Yes, please indicate which of the following criteria apply:

There appear to be conflicting authorities

There is a point of practice and procedure of significant importance

There is a point of general principle and importance in the development of the substantive law

A number of appeals on similar points suggests that a theme, or trend, is developing which the Court of Appeal needs to consider

Additional reasons (please set out below)