**CIVIL JURISDICTION RESULT SHEET**

Common Law Division - General List

**Case ID :** CI-16-57741

CHAMBER TRUSTEE SERVICES

**Case Description :** MARIAM DERHA V PTY LIMITED & ANOR

**Event Type :**  Judgment

**Judge:** His Honour Judge Misso

**Date Of Order :** 28 August 2017

**Appearances**

Plaintiff : Mr T C Rhodes

Defendant : Mr R T Barnes

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**THE COURT ORDERS THAT:**

1. The plaintiff has suffered total and permanent disablement (TPD) within the meaning of the trust deed (as defined in paragraph 3 of the Statement of Claim) and the policy of insurance (as defined in paragraph 7 of the Statement of Claim)

2. The plaintiff is entitled to the benefits pursuant to the trust deed in respect TPD, namely payment of the sum of $301,224.

3. The Second Defendant pay to the First Defendant the sum of $301,224 (being the sum of the defined TPD benefit under the policy of insurance) together with interest fixed in the sum of $28,559.

4. The First Defendant pay the Plaintiff the sum of $301,224 less any applicable taxes, together with interest fixed in the sum of $28,559.

5. The Defendants pay the Plaintiff's costs of this proceeding, including transcript, on a standard basis up until 11.00 am on 27 June 2017 and thereafter to be taxed on an indemnity basis.

**Order made: 28 August 2017**

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His Honour Judge Misso

County Court of Victoria