

General Form of Judgment or Order

In the County Court at
Watford

Claim Number K00WD700

Date 18 February 2025



FLEXSPACE NO 2 LLP	1st Claimant Ref MJC/7011/2108826/172/ RS
BOSECOM LIMITED	1st Defendant Ref
RAVI KUMAR BOSE	2nd Defendant Ref

IN THE COUNTY COURT AT WATFORD

Claim Number: K00WD700
Appeal Number: AP1005

IN THE MATTER OF AN APPLICATION FOR PERMISSION TO APPEAL
An Order of Deputy District Judge Gaunt of 8 May 2024

RAVI KUMAR BOSE

Appellants

- and -

FLEXSPACE No. 2 LLP

Respondent

ORDER made by His Honour Judge Middleton-Roy on 13 February 2025

1. The Court Records That:

1.1 This Order was made by the Court on the papers without the parties attending an oral hearing, pursuant to Civil Procedure Rule 52.4(1)

1.2 The Court considered an Appellant's Notice dated 29 January 2025, filed on 3 February 2025.

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Freeths Llp
Floor 6,
100 Barbirolli Square,
Manchester
M2 3BD
DX 303415 MANCHESTER

1.3 The Appellant (Mr Bose) does not name the Respondent to the appeal (in section 1 of the N161 Appellant's Notice.) The Court deems the Respondent to be Flexspace No. 2 LLP (the Claimant in the Court below).

1.4 The Appellant (who was Defendant in the Court below) seeks in his Appellant's Notice permission to appeal an Order made by Deputy District Judge Gaunt on 8 May 2024 (in section 2 of the Appellant's Notice the Appellant records the date of 20 May 2024, which is the date the Order of 8 May 2024 was drawn).

1.5 At the hearing on 8 May 2024, DDJ Gaunt granted the Claimant's application for summary judgment. DDJ Gaunt entered judgment against the Defendant. All parties were present at that hearing. The Defendant subsequently applied, 6 months later, by way of N244 application dated 19 November 2024 to set aside the judgment entered on 8 May 2024, citing various grounds, including that he believes he was given wrong legal advice, there was "malicious intent", procedural failures and "evidenced prejudice." The Defendant recorded in his application to set aside judgment, "I have been bullied out of the truth."

1.6 The Defendant's application of 19 November 2024 to set aside judgment of 8 May 2024 was heard by DDJ Gaunt on 29 January 2025. The Defendant's application to set aside judgment was dismissed. The Deputy District Judge was entirely right to dismiss the application to set aside judgment, as none of the conditions in the Civil Procedures Rules applicable to setting aside Judgment were met. The Appellant's assertion that DDJ Gaunt was wrong to have dismissed the application, as a previous Deputy District Judge had given directions to list the matter for hearing, is entirely misconceived.

1.7 In his Grounds of Appeal, the Appellant seeks again to set aside the summary judgment entered by DDJ Gaunt on 8 May 2024. In addition to filing an Appellant's Notice seeking to appeal the decision of 8 May 2024, the Appellant has also filed a further N244 application seeking to set aside the judgment of 8 May 2024. The N244 application is dated 19 November 2024, filed on 3 February 2025. This N244 application ("the duplicate application") appears identical in content to the first N244 application to set aside judgment, also dated 19 November 2024, filed on 27 November 2024. The application filed on 27 November 2024 was the subject of DDJ Gaunt's judicial determination on 29 January 2025. The duplicate application is an abuse of process. The duplicate N244 application filed on 3 February 2025 is misconceived and is totally without merit.

1.8 The date of the decision appealed against, being the date of the decision of DDJ Gaunt to enter summary judgment, is 8 May 2024.

1.9 The time limit for filing an Appellant's Notice against the decision of the lower Court is 21 days.

1.10 The 21-day time limit for filing an Appellant's Notice runs from the date on which the lower court pronounced its decision, namely 8 May 2024, not the date when the Order is later prepared or served. The Appellant was present at the hearing when the decision of the Judge was announced.

1.11 The time limit for filing the Appellant's Notice expired on 29 May 2024.

1.12 The Appellant's Notice was filed more than 8 months out of time.

1.13 No prior application was made to extend the time for filing the Appellant's Notice. A retrospective application for an extension of time, analogous to an application for relief from sanctions, was made within the Appellant's Notice.

1.14 A party who is out of time for filing an Appellant's Notice is subject to an implied sanction, namely the loss of the right to pursue an appeal.

1.15 The failure of the Appellant to file an Appellant's Notice in time was a serious or significant failure to comply with the Civil Procedure Rules. The Appellant has provided no good reason for the exceptional and inordinate delay in filing the Appellant's Notice. Having regard to all the circumstances of the case so as to enable the Court to deal with the application justly, the interests of justice do not demand that the time to file the Appellant's Notice should be extended.

1.16 The Grounds of Appeal are misconceived. The appeal has no real prospect of success and there is no other compelling reason for the appeal to be heard.

2. IT IS ORDERED THAT

2.1 The N244 application dated 19 November 2024, filed on 3 February 2025, is dismissed.

2.2 The N244 application is totally without merit.

2.3 Permission to appeal the Order of DDJ Gaunt of 8 May 2024 is refused.

2.4 No Order as to costs.

2.5 This Order was made without hearing the parties. The Appellant may, no later than 7 days after service of this Order, apply to set aside or vary paragraphs 2.1 or 2.2 of this Order.

2.6 The Appellant may no later than 7 days after service of this Order apply to renew the application for permission to appeal at an oral hearing.

His Honour Judge Middleton-Roy

Dated 13 February 2025

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BOSECOM LIMITED	1st Defendant Ref
RAVI KUMAR BOSE	2nd Defendant Ref

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RAVI KUMAR BOSE

Appellants

- and -

FLEXSPACE No. 2 LLP

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1. The Court Records That:

1.1 This Order was made by the Court on the papers without the parties attending an oral hearing, pursuant to Civil Procedure Rule 52.4(1)

1.2 The Court considered an Appellant's Notice dated 29 January 2025, filed on 3 February 2025.

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Bosecom Limited
Capital Office
(Bosecom Limited)
124 City Road
London
EC1V 2NJ

1.3 The Appellant (Mr Bose) does not name the Respondent to the appeal (in section 1 of the N161 Appellant's Notice.) The Court deems the Respondent to be Flexspace No. 2 LLP (the Claimant in the Court below).

1.4 The Appellant (who was Defendant in the Court below) seeks in his Appellant's Notice permission to appeal an Order made by Deputy District Judge Gaunt on 8 May 2024 (in section 2 of the Appellant's Notice the Appellant records the date of 20 May 2024, which is the date the Order of 8 May 2024 was drawn).

1.5 At the hearing on 8 May 2024, DDJ Gaunt granted the Claimant's application for summary judgment. DDJ Gaunt entered judgment against the Defendant. All parties were present at that hearing. The Defendant subsequently applied, 6 months later, by way of N244 application dated 19 November 2024 to set aside the judgment entered on 8 May 2024, citing various grounds, including that he believes he was given wrong legal advice, there was "malicious intent", procedural failures and "evidenced prejudice." The Defendant recorded in his application to set aside judgment, "I have been bullied out of the truth."

1.6 The Defendant's application of 19 November 2024 to set aside judgment of 8 May 2024 was heard by DDJ Gaunt on 29 January 2025. The Defendant's application to set aside judgment was dismissed. The Deputy District Judge was entirely right to dismiss the application to set aside judgment, as none of the conditions in the Civil Procedures Rules applicable to setting aside Judgment were met. The Appellant's assertion that DDJ Gaunt was wrong to have dismissed the application, as a previous Deputy District Judge had given directions to list the matter for hearing, is entirely misconceived.

1.7 In his Grounds of Appeal, the Appellant seeks again to set aside the summary judgment entered by DDJ Gaunt on 8 May 2024. In addition to filing an Appellant's Notice seeking to appeal the decision of 8 May 2024, the Appellant has also filed a further N244 application seeking to set aside the judgment of 8 May 2024. The N244 application is dated 19 November 2024, filed on 3 February 2025. This N244 application ("the duplicate application") appears identical in content to the first N244 application to set aside judgment, also dated 19 November 2024, filed on 27 November 2024. The application filed on 27 November 2024 was the subject of DDJ Gaunt's judicial determination on 29 January 2025. The duplicate application is an abuse of process. The duplicate N244 application filed on 3 February 2025 is misconceived and is totally without merit.

1.8 The date of the decision appealed against, being the date of the decision of DDJ Gaunt to enter summary judgment, is 8 May 2024.

1.9 The time limit for filing an Appellant's Notice against the decision of the lower Court is 21 days.

1.10 The 21-day time limit for filing an Appellant's Notice runs from the date on which the lower court pronounced its decision, namely 8 May 2024, not the date when the Order is later prepared or served. The Appellant was present at the hearing when the decision of the Judge was announced.

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1.14 A party who is out of time for filing an Appellant's Notice is subject to an implied sanction, namely the loss of the right to pursue an appeal.

1.15 The failure of the Appellant to file an Appellant's Notice in time was a serious or significant failure to comply with the Civil Procedure Rules. The Appellant has provided no good reason for the exceptional and inordinate delay in filing the Appellant's Notice. Having regard to all the circumstances of the case so as to enable the Court to deal with the application justly, the interests of justice do not demand that the time to file the Appellant's Notice should be extended.

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2. IT IS ORDERED THAT

2.1 The N244 application dated 19 November 2024, filed on 3 February 2025, is dismissed.

2.2 The N244 application is totally without merit.

2.3 Permission to appeal the Order of DDJ Gaunt of 8 May 2024 is refused.

2.4 No Order as to costs.

2.5 This Order was made without hearing the parties. The Appellant may, no later than 7 days after service of this Order, apply to set aside or vary paragraphs 2.1 or 2.2 of this Order.

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Ravi Kumar Bose
Unit 6 Park House
15-19 Greenhill Crescent
Watford
WD18 8PH

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