



THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION

CAUSE NO: FSD 269 of 2022 (NSJ)

IN THE MATTER OF ORDER 29 OF THE GRAND COURT RULES

AND IN THE MATTER OF IGCF SPV 21 LIMITED

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**ORDER**

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UPON reading the Originating Summons issued on 24 November 2022 (*the Summons*), the affidavits in the hearing bundle and the exhibits thereto

AND UPON hearing Counsel for IGCF SPV 21 Limited (*the Applicant*) and Counsel for Al Jomaih Power Limited and Denham Investment Limited (together the *Other Shareholders*) at the *ex parte* on notice application on 17 January 2023.

**IT IS HEREBY ORDERED** that

1. The Applicant shall on or before 27 January 2023 issue an originating summons (the *New Originating Summons*) to which the Other Shareholders are joined as defendants seeking the relief set out in paragraphs 1-3 and 6-8 and 10 of the Summons and an interlocutory application (by summons or motion) in those proceedings (the *Interlocutory Application*) seeking the interlocutory (or interim) injunction referred to in paragraph 5 of the Summons (and any relief ancillary thereto).
2. The New Originating Summons and the Interlocutory Application may be served on Bedell Cristin, the attorneys acting for the Other Shareholders.
3. The hearing on 17 January 2023 shall be treated as a hearing of the Interlocutory Application and the evidence filed before the hearing by the Applicant and the Other Shareholders shall stand and be treated as evidence filed in support of and opposition

to, as the case may be, the Interlocutory Application (and the relief sought in the New Originating Summons).

4. The Applicant shall file and serve any evidence in reply by 3 February 2023.
5. The Applicant and the Other Shareholders shall have leave to serve one expert report (one for the Applicant and one for the Other Shareholders) in relation to issues of Pakistan law (the issues to be agreed by 10 February 2023 or if not agreed by that date, as ordered by the Court following brief written submissions filed by the parties on or before 13 February 2023).
6. The expert reports shall be exchanged by 27 February 2023 and the experts shall meet by video conference on or before 6 March 2023 and prepare a joint memorandum by 13 March 2023 (or in each case on such later date as may be ordered by the Court).
7. If the expert reports cannot be agreed the parties shall be at liberty to call expert witnesses at trial limited to those experts whose reports have been exchanged in accordance with paragraph 6 above.
8. The New Originating Summons shall be listed for a two-day hearing on dates to be fixed in the week commencing 27 March or 3 April 2023 (the parties shall seek to agree and propose to the Court dates for the hearing).
9. Save as varied above or by further order, the practice and procedure set out in the FSD Users Guide shall apply.
10. Until the hearing of the New Originating Summons (or further order), the Other Shareholders (whether by themselves or their agents) must not take any further steps in the proceedings commenced by them in the High Court of Sindh at Karachi, Pakistan (*High Court*) by the Suit for Declaration and Permanent Injunction issued on 21 October 2022 (the *Pakistan Proceedings*) (whether by applying for or seeking further orders or relief, or for amendments to or the enforcement of orders already made, or for the purpose of pursuing the claims made and relief sought in the Pakistan Proceedings) save for the purpose of informing the High Court (and the other parties to the Pakistan Proceedings) of this order and to seek consequential temporary stays in respect of, or adjournments of hearings in, the Pakistan Proceedings.
11. Costs are reserved.

12. There shall be liberty to apply.

**DATED** the 30<sup>th</sup> day of January 2023

**FILED** the 31 day of January 2023

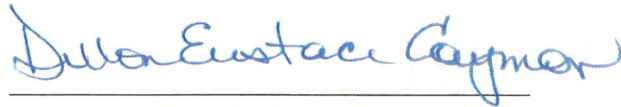


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**THE HONOURABLE MR. JUSTICE SEGAL**

**JUDGE OF THE GRAND COURT**

Approved as to form and content:



Dillon Eustace Cayman

**DILLON EUSTACE CAYMAN**

**ATTORNEYS-AT-LAW FOR IGCF SPV 21 LIMITED**



Bevell Cristin

**BEDELL CRISTIN**

**ATTORNEYS-AT-LAW FOR AL JOMAIH POWER LIMITED AND DENHAM  
INVESTMENT LIMITED**

**THIS ORDER** was **FILED** by **DILLON EUSTACE CAYMAN** of Landmark Square, West Bay Road, Grand Cayman, Cayman Islands, Attorneys-at-law whose address for service is that of its said Attorneys-at-law.