

IN THE SUPREME COURT OF MAURITIUS

*Commercial Division
(Before the Honourable Judge in Chambers)*

SC/COM/WRT/000056/2023

In the matter of:

Larus Cloud Service Limited

Applicant

v

- 1. African Network Information Centre (AfriNIC) Ltd**
- 2. Executive Services Limited**

Respondents

And in the matter of:

Ex Parte:

Larus Cloud Service Limited

Applicant

● **ORDER**

Upon the application of Mr. Attorney D. Ramdhur for the applicant and after considering the praecipe and affidavit both dated 31 January 2023, the documents thereto annexed and being satisfied that the matter is so urgent as to require the immediate intervention of a Judge before notice of the application is served on the respondents,

I order that an interim order in the nature of an injunction be issued-

- (i) restraining and prohibiting the respondents and/or their agents and/or préposés and/or representatives from henceforth acting in any manner whatsoever and/or giving effect and or further effect to the "Written Resolution of the Directors Passed on 17th January 2023" having as agenda the-
 - (a) Approval of the 2023 Budget;
 - (b) Appointment of an Officer-in-Charge as Interim Chief Executive Officer;
 - (c) Appointment of Internal Auditor;
 - (d) Appointment of an Interim Chief Executive Officer;
 - (e) Appointment of the Central Africa – Seat 4;

- (f) Appointment of Elected Governance Committee Member; and
- (ii) restraining and prohibiting the respondents and/or their agents and/or préposés and/or representatives from passing any written resolutions in the absence of a quorate board of directors.

The above interim order to remain in force until the determination of the present matter and I order that service be effected upon the above-named respondents to show cause, if any, why the present interim order should not be made interlocutory pending the determination of the main action which the applicant intends to file before the Supreme Court.

The above interim order in the nature of an injunction is issued at applicant's own risks and perils, and upon its undertaking, through its attorney to abide by any order which the Court or Judge may thereafter make as to damages to the respondents by the granting of this interim order in the nature of an injunction.

The stand of the respondents to be communicated through the e-filing system on or by **Tuesday the 14th day of February 2023**, date on which the present matter is made returnable.

Chambers, this Tuesday 31 January 2023.


P. D. R. GOORDYAL-CHITTOO
JUDGE