

**IN THE SUPREME COURT OF MAURITIUS**  
Commercial Division  
(Before the Honourable Judge in Chambers)

In the matter of:

**CLOUD INNOVATION LTD**

**Applicant**

**v**

- 1. Benjamin Adzenyamebeye ESHUN**
- 2. Vivegananda Thylammai PADAYATCHY**

**Respondents**

In the presence of:

**AFRICAN NETWORK INFORMATION CENTRE (AfrinIC) Ltd (In Receivership)**

**Co-Respondent**

And in the matter of:

Ex parte

**CLOUD INNOVATION LTD**

**Applicant**

**❖ ORDER**

Upon the application of Mr. D Ramdhur, Attorney for the applicant and after taking cognizance of the praecipe and affidavit, both dated 04 October 2023 and the documents filed in support thereof and being satisfied that the matter is so urgent as to require the immediate intervention of a Judge in Chambers before notice of the application is served on the respondents and co-respondent;

LET the above documents be filed at the Registry of this Court and let an interim order in the nature of an injunction be issued –

- A. restraining and prohibiting the respondent No.1 in his personal capacity and/or director of co-respondent and/or past director, either by himself and/or through his agent/representative/préposé or in any other capacity from:
- (i) representing the co-respondent as styled and/or African Network Information Centre (AfriNIC) Ltd any capacity whatsoever including but not limited to legal proceedings within the jurisdiction of Mauritius;
  - (ii) interfering and/or obstructing and/or preventing and/or otherwise impeding the Receivership Order in in any manner whatsoever, including but not limited to altering any part of the registration service data of the co-respondent.
- B. restraining and prohibiting the respondent No.2 in his personal capacity and/or director of co-respondent and/or past director of co-respondent and/or existing/past member of purported Council of Elders of co-respondent, either by himself and/or through his agent/representative/préposé or in any other capacity from:
- (i) representing the co-respondent as styled and/or African Network Information Centre (AfriNIC) Ltd any capacity whatsoever including but not limited to legal proceedings within the jurisdiction of Mauritius;
  - (ii) interfering and/or obstructing and/or preventing and/or otherwise impeding the Receivership Order in any manner whatsoever, including but not limited to altering any part of the registration service data of the co-respondent;

- (iii) purporting to '*represent*' the purported Council of Elders of co-respondent inasmuch as there is no director in office for the Co-Respondent.

With police assistance, if need be, in the circumstances.


And this pending the determination of the purported appeal bearing SCR No.1808.

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 and co-respondent to show cause, if any, why the present interim orders prayed for at A and B above should not be converted into interlocutory orders pending the determination of the purported appeal bearing SCR No 1808.

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 and co-respondent by the granting of this interim order in the nature of an injunction.

The stand of the respondents and co-respondent to be communicated through the e-filing system on or by Friday the 13<sup>th</sup> of October 2023, date on which the present matter is made returnable.

**Chambers, this 04<sup>th</sup> day of October, 2023.**

  
**[M.J. Lau Yuk Poon]**  
**JUDGE**