

In the matter of:

**Silvio Cabral Almada**

**Applicant**

v

**African Network Information Centre (AfrinIC)**

**Respondent**

❖ **ORDER**

Upon the application of Mr. A. Rajah, Senior Attorney, for the applicant and after taking cognizance of the motion paper and affidavit, both dated 24 November 2022, the documents filed in support thereof and notwithstanding the fact that the respondent has no objection to the orders sought as per its letter dated 25 November 2022, I decline to grant the orders prayed for inasmuch as –

(i) based on the applicant's own averment at paragraph 1 of Annex 4 (A4), there is an interim order issued against the respondent on 16 May 2022 in SC/COM/MOT/000334/2022 following an application made by Larus Cloud Service Limited for stopping the election of board members;

(ii) considering that the nature of the interim order which was issued against the respondent and which reads as follows: "*AfrinIC and or its Board and /or its directors and or its representatives, agents, préposés were restrained and prohibited from proceeding further in any manner whatsoever, with the election of its board as per its email dated 10 May 2022 and/or otherwise including the electronic voting which was due to start 19 May 2022 and/or at the Annual General Meeting scheduled on 03 June 2022 and/or any other date as may be adjourned*"; and

(iii) this Court is precluded from acceding to the motion of the applicant as it would otherwise be acting contrary to the interim order issued on 16 May 2022 as the interim order is to remain in force until the determination of the application. The interim order clearly mentions *in any manner whatsoever* the respondent is restrained and prohibited from proceeding with the election of its board members.

In view of the above, the present application is accordingly set aside.

Chambers, this 28<sup>th</sup> day of November, 2022

  
[M.J. Lau Yuk Poon]  
JUDGE