



MALTA

Fit-Tribunal tal-Konsumatur

CCT/52/20/S

Alan England

Vs

WVS Marketing Ltd

Today ^{5th} of May, 2022.

The Tribunal,

Took cognizance of the request by Alan England filed on the 17th of April, 2020 and the reply filed on the 3rd of September, 2020 by WVS Marketing Ltd;

Examined the presented documents and heard both parties and their verbal submissions made during the sitting of the 19th of November, 2020;

Considered

That plaintiff is suing defendant company for defective batteries. On the other hand defendant company is contesting what the plaintiff is alleging;

That this case is about a type of batteries called Trojan and the only supplier of this type of batteries is from a local company called Schembri Batteries Limited with which the defendant company has a client trading account;

That in this regard, this Tribunal has underlined the importance that every consumer gets as much information as possible before purchase in order to make an informed decision;

That from the evidence tendered before this Tribunal, the plaintiff did not manage to prove that the batteries were

A handwritten signature in blue ink, appearing to be a stylized 'S' or similar character.



MALTA

defective and in fact it was only after nearly a year and a half that the plaintiff complained to the defendant company;

That if the said batteries were defective at the time of purchase, the batteries would have given problems at that point in time and not later on;

That plaintiff did not manage to prove what he is alleging whilst the explanations given by defendant company in its reply reflect what could have happened to the said batteries;

Consequently for the abovementioned reasons and in the circumstances of this case and after examining Chapter 378 of the Laws of Malta, this Tribunal Decides to Reject Alan England's claim and Accedes to the pleas submitted by WVS Marketing Ltd as aforesaid. Each party is to bear its own expenses of these procedures.

A handwritten signature in blue ink, appearing to be 'Richard Sladden Av.', with a small blue mark to the right.

Richard Sladden Av.
Arbiter