



IN THE SUPREME COURT OF THE UNITED KINGDOM

3 FEBRUARY 2010

Before:

Lord Walker
Lord Collins
Lord Clarke

**English Welsh & Scottish Railway Limited (Respondent) v
Enron Coal Services Limited (in Liquidation) (Appellant)**

AFTER CONSIDERATION of the appellant's application for permission to appeal the order made by the Court of Appeal on 1 July 2009 and of the notice of objection filed by the respondent

THE COURT ORDERED that

Permission to appeal BE REFUSED because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal.



Louise de la Harpe

Registrar
3 February 2010