



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: C1/2008/2606

9823

BCL Old Co Ltd & Ors -v- BASF SE & Ors



ORDER made by the Rt. Hon. Lord Justice Jacob

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal the order of the CAT 17th October 2008 and its judgment of 25th September 2008

Decision: granted

Reasons

The arguments advanced in the skeleton argument show a real prospect of success and the point is also worth of consideration by the CA

Information for or directions to the parties

Where permission has been granted, or the application adjourned

- a) time estimate (excluding judgment) 3 hours
- b) any expedition



R. M. Jacob

Signed:

Date: 4 December 2008

By the Court

Notes

- (1) Rule 52.3(6) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 4.14A of the Practice Direction.
- (3) Where permission to appeal has been granted, the appeal bundle must be served on the respondents within 7 days of receiving this order (see para. 6.2 of the Practice Direction to CPR Part 52). A letter of notification will be sent to the appellant or his solicitors, as soon as practicable (see para. 6.3).