

**In the name of his Highness Sheikh Tamin bin Hamad Al Thani
Emir of the State of Qatar**

**IN THE CIVIL AND COMMERCIAL COURT
OF THE QATAR FINANCIAL CENTRE
APPELLATE DIVISION**

5 August 2018

CASE NO; 01/2016

DAMAN HEALTH INSURANCE (QATAR) LLC

Applicant

V

HAMMAD SHAWABKEH

Respondent

VARIATION ORDER

Members of the Court:

**Lord Phillips of Worth Matravers, President
Justice Al Sayed
Justice Kirkham**

ORDER

1. On 1 November 2017 Justice Rashid Al Badr, Enforcement Judge, ordered the Respondent to make monthly payments to the Applicant of QAR 3,500 in respect of his outstanding liability in respect of the costs of this Action.
2. On 16 November 2017 this Court varied that order to the extent of reducing the monthly payments to QAR 500, holding that the Respondent's "dire financial situation" made it impossible for him to pay more than this.
3. The Applicant applied on 9 May 2018 for a variation of the order, as varied by this Court, directing the Respondent's employer to deduct QAR 500 monthly from the Respondent's salary and to pay the same directly to the Applicant.
4. The grounds for this application is the alleged persistent failure by the Respondent to make prompt payment of the monthly installments when due.
5. The Respondent has replied on 7 June 2018, challenging the allegation that he has been late in making payments. He informs the Court, however, that his wife's ill-health, which was the cause of this litigation, has compelled her to give up work, thereby reducing the family income. In these circumstances he requests that the monthly payments be reduced to QAR 250.
6. The Court has decided to accede to each of the applications with the intention that the Applicant shall receive regular payments but that these shall not result in depriving the Respondent and his wife of the income that they need to cover their basic needs.

ACCORDINGLY THE COURT ORDERS THAT THE MONTHLY PAYMENT TO BE MADE BY THE RESPONDENT ON ACCOUNT OF COSTS BE REDUCED TO QAR 250 AND DIRECTS THE ENFORCEMENT JUDGE TO TAKE APPROPRIATE STEPS TO SEE THAT THIS IS PAID DIRECTLY TO THE APPLICANT FROM THE RESPONDENT'S SALARY.

By the Court



Lord Phillips of Worth Matravers,
President

