



**BL-2019-001603**

16 Oct 2019

**FREEZING INJUNCTION  
OF JUSTICE**

**IN THE HIGH COURT**

**BUSINESS AND PROPERTY COURTS  
OF ENGLAND AND WALES  
BUSINESS LIST (ChD)**

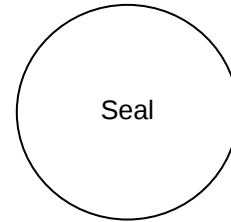
BL-2019-001603

**Before The Honourable Mrs Justice Falk**

**Dated 15 October 2019**

**Applicant**

(1) Mr Saleh Rashed Abdulaziz Alhomeidi



**Respondents**

- (1) Bhupinder Chohan
- (2) Baljinder Chohan (also known as Bally Chohan)
- (3) Data Science House Limited
- (4) Hill & Standard Developments Limited
- (5) Yoel Orlinski
- (6) Sloane 1 Developments Limited

**Name, address and reference of First Respondent**

Bhupinder Chohan, 56 Keats Way, West Drayton, Middlesex, UB7 9DU

**Name, address and reference of the Second Respondent**

Baljinder Chohan (aka Bally Chohan), Flat 603, Al Mujara Building No 1, Dubai Marina, Dubai, United Arab Emirates and of 56 Keats Way, West Drayton, Middlesex, UB7 9DU

**Name, address and reference of the Third Respondent**

Data Science House Limited, 115 Craven Park Road, London, N15 6BL

**Name, address and reference of the Fourth Respondent**

Hill & Standard Developments Limited, 115 Craven Park Road, London, N15 6BL

**Name, address and reference of the Fifth Respondent**

Yoel Orlinski, 26 Wiessmandel Court, Clapton Common, London, E5 9FA

**Name, address and reference of the Sixth Respondent**

Sloane 1 Developments Limited, 80-83 Long Lane, London EC1A 9ET

**PENAL NOTICE**

IF YOU **BHUPINDER CHOHAN AND/OR BALJINDER CHOHAN (AKA BALLY CHOHAN) AND/OR DATA SCIENCE HOUSE LIMITED AND/OR HILL & STANDARD DEVELOPMENTS LIMITED AND/OR YOEL ORLINSKI AND/OR SLOANE 1 DEVELOPMENTS LIMITED** DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED. IF ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE SAID **BHUPINDER CHOHAN AND/OR BALJINDER CHOHAN (AKA BALLY CHOHAN) AND/OR DATA SCIENCE HOUSE LIMITED AND/OR HILL & STANDARD DEVELOPMENTS LIMITED AND/OR YOEL ORLINSKI AND/OR SLOANE 1 DEVELOPMENTS LIMITED** TO BREACH THE TERMS OF THIS ORDER THEY MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED, OR HAVE THEIR ASSETS SEIZED

**THIS ORDER**

1. This is a Freezing Injunction and Proprietary Injunction made against (1) Bhupinder Chohan (2) Baljinder Chohan (aka Bally Chohan) (3) Data Science House Limited (4) Hill & Standard Developments Limited (5) Yoel Orlinski (6) Sloane 1 Developments Limited ('the Respondents') on 15 October 2019 by the Honourable Mrs Justice Falk on the application of Mr Saleh Rashed Abdulaziz Alhomeidi ('the Applicant'). The Judge read the affidavits listed in Schedule A and accepted the undertakings set out in Schedule B at the end of this order.
2. This order was made at a hearing without notice to the Respondents. The Respondents have a right to apply to the

court to vary or discharge the order – see paragraph 21 below.

3. There will be a further hearing in respect of this order at 10.30am on 29 October 2019 ('the return date').

4. If there is more than one Respondent-

- (a) unless otherwise stated, references in this order to 'the Respondent' mean both or all of them;
- (b) this order is effective against any Respondent on whom it is served or who is given notice of it; and
- (c) in relation to any Respondent which is a company, any reference in this order to the word 'his' shall also be taken to mean 'its'.

### **PROPRIETARY INJUNCTION**

5. Until the return date or further order of the Court, the First and Second Respondents must not:

- (1) remove from England and Wales in any way dispose of, deal with or diminish the value of the Trust Funds (as defined below), other than after giving not less than 72 hours' notice in writing to the Applicant's Solicitors setting out the amount, purpose and source of such payment out of the Trust Funds and stating the proposed payee, including the account name, sort code, account number and bank name and address of the recipient account; and/or
- (2) move or in any way dispose of, deal with or diminish the value of the Trust Funds (as defined below), other than after giving not less than 72 hours' notice in writing to the Applicant's Solicitors setting out the amount, purpose and

source of such payment out of the Trust Funds and stating the proposed payee, including the account name, sort code, account number and bank name and address of the recipient account.

For the purposes of this Order, Trust Funds are defined as the sum of £377,000 paid by the Claimant in respect of the Claimant's intended purchase of Unit 5, Crownage Court, Sunbury-on-Thames, London, TW16 7NU, including all sums paid or utilised by the Respondent, in whatever account they are now held.

6. Until the return date or further order of the Court, the Sixth Respondent must not:
  - (1) remove from England and Wales in any way dispose of, deal with or diminish the value of the Edridge Funds (as defined below), other than after giving not less than 72 hours' notice in writing to the Applicant's Solicitors setting out the amount, purpose and source of such payment out of the Edridge Funds and stating the proposed payee, including the account name, sort code, account number and bank name and address of the recipient account; and/or
  - (2) move or in any way dispose of, deal with or diminish the value of the Edridge Funds (as defined below), other than after giving not less than 72 hours' notice in writing to the Applicant's Solicitors setting out the amount, purpose and source of such payment out of the Edridge Funds and stating the proposed payee, including the account name, sort code, account number and bank name and address of the recipient account.

For the purposes of this Order, Edridge Funds are defined as the sum of £21,000 paid by the Claimant in respect of the Claimant's intended purchase of Unit 72, The Edridge, including all sums paid or utilised by the Respondent, in whatever account they are now held.

## **FREEZING INJUNCTION**

7. Until the return date or further order of the Court, the First and Second Respondents must not-

- (1) remove from England and Wales any of his assets which are in England and Wales up to the value of £600,000, and
- (2) in any way dispose of, deal with or diminish the value of any of his assets whether they are in or outside England and Wales up to the same value.

8. Until the return date or further order of the Court, the Third, Fourth and Fifth Respondents must not-

- (1) remove from England and Wales any of his assets which are in England and Wales up to the value of £500,000, and
- (2) in any way dispose of, deal with or diminish the value of any of his assets whether they are in or outside England and Wales up to the same value.

9. Until the return date or further order of the Court, the Sixth Respondent must not-

- (1) remove from England and Wales any of his assets which are in England and Wales up to the value of £100,000, and
- (2) in any way dispose of, deal with or diminish the value of any of his assets whether they are in or outside England and Wales up to the same value

10. Paragraphs 7-9 apply to all of the respective Respondent's assets whether or not they are in his and/or its own name and whether they are solely or jointly owned. For the purpose of this order the Respondent's assets include any asset which he has the power, directly or indirectly, to dispose of or deal with as if it were his own. The Respondent is to be regarded as having such power if a third party holds or controls the asset in accordance with his direct or indirect instructions.

11. This prohibition includes the following assets in particular-

- (1) The property and/or assets of the Respondents or the sale money if any of them have been sold.
- (2) Any interest that any Respondent has in Unit 5 Crownage Court, Sunbury-on-Thames, London TW16 7NU.
- (3) Any interest that the Respondent has in any part of the property known as "the Edridge".
- (4) Any money standing to the credit of any bank account including the amount of any cheque drawn on such account which has not been cleared.

12. (1) If the total value free of charges or other securities ('unencumbered value') of the Respondent's assets in England and Wales exceeds the amounts set out in paragraphs 7-9 above ("the Amounts"), the Respondent may remove any of those assets from England and Wales or may dispose of or deal with them so long as the total unencumbered value of the Respondent's assets still in England and Wales remains above the relevant of the Amounts.
- (2) If the total unencumbered value of the Respondent's assets in England and Wales does not exceed the relevant of the Amounts the Respondent must not remove any of those assets from England and Wales and must not dispose of or deal with any of them. If the Respondent has other assets outside England and Wales, he may dispose of or deal with those assets outside England and Wales so long as the total unencumbered value of all his assets whether in or outside England and Wales remains above the relevant of the Amounts.

## **PROVISION OF INFORMATION**

13. (1) Unless paragraph 13(2) applies, each Respondent must by **4.00pm on 22 October 2019** and to the best of his and/or its ability inform the Applicant's solicitors in writing of all his individual assets worldwide exceeding £1,000 in value whether in his own name or not and whether solely or jointly owned, giving the value, location and details of all such assets.
- (2) If the provision of any of this information is likely to incriminate

the Respondent, he may be entitled to refuse to provide it, but is recommended to take legal advice before refusing to provide the information. Wrongful refusal to provide the information is contempt of court and may render the Respondent liable to be imprisoned, fined or have his assets seized.

14. By **4.00pm on 22 October 2019**, the First, Second and Sixth Respondents must swear and serve on the Applicant's solicitors an affidavit setting out the information required by paragraph 13 above and the following information:

(1) All and any interest in any land in England and Wales that the Respondent is a registered proprietor and/or has any form of beneficial interest including identifying (a) the title number of the land; (b) the address of the land; (c) and the nature of the interest in the land;

(2) All bank accounts, whether held at any bank in England and Wales to which the Respondent is the signatory and/or has used for the purposes of receiving any monies from and in relation to the purchase of any interest in the properties known as:

(a) Unit 72, The Edridge;

(b) Unit 35, Richmond; and

(c) Unit 5 Crownage Court, Sunbury-on-Thames, London  
TW16 7NU

(3) The current location of all and any monies that each Respondent received from the Applicant in respect of the purchase of any interest in the properties known as:

(a) Unit 72, The Edridge;



(b) Unit 35, Richmond; and

(c) Unit 5 Crownage Court, Sunbury-on-Thames, London  
TW16 7NU

(4) The current location of all and any monies that each Respondent holds on behalf of the Applicant.

(5) In the event that the Respondent contends that the said monies have been used to purchase another asset, including any interest in any land, he and/or it is to identify the said land and/or asset and is to provide supporting documentation in respect of the same.

15. By **4.00pm on 22 October 2019**, the Third, Fourth and Fifth Respondents must swear and serve on the Applicant's solicitors an affidavit setting out the information required by paragraph 13 above and the following information:

(1) All and any interest in any land in England and Wales that the Respondent is a registered proprietor and/or has any form of beneficial interest including identifying (a) the title number of the land; (b) the address of the land; (c) and the nature of the interest in the land;

(2) All communications with B & M Properties 1 Limited, Bentley and Mane Limited, Kulvinder Nagha, Kulvinder Chohan, Noor Majid, Morton Gold, Rusha Salmon, Gordons Solicitors and any of the other Respondents to this order regarding:

(a) The receipt of the total sum of £273,146 on or around 1 September from B & M Properties 1 Limited; and

(b) The proceedings under Petition Number 2062 of 2017.

16. By **4.00pm on 22 October 2019** the First, Second, Third, Fourth and Fifth Respondents must send copies of statements for all and any bank and/or building society account that is held in his and/or its name and/or to which he and/or it is a signatory to for the period 28 June 2016 to the date of this order to the Applicant's solicitors.
17. By **4.00pm on 22 October 2019** the Sixth Respondent must send copies of statements for all and any bank and/or building society account that is held in his and/or its name and/or to which he and/or it is a signatory to for the period 20 September 2013 to the date of this order to the Applicant's solicitors.

#### **EXCEPTIONS TO THIS ORDER**

18.

- (1) Subject to paragraph 19 below, this order does not prohibit the Respondent from spending £300 a week towards his ordinary living expenses and also spending a reasonable sum on legal advice and representation, but before spending any money the Respondent must tell the Applicant's legal representatives where the money is to come from.
- (2) Subject to paragraph 19 below, this order does not prohibit the Respondent from dealing with or disposing of any of his assets in the ordinary and proper course of business.
- (3) Subject to paragraph 19 below, the Respondent may agree with the Applicant's legal representatives that the above spending limits should be increased or that this order should be varied in any other respect, but any agreement must be in writing.

(4)The order will cease to have effect on the First or Second Respondent if the First or Second Respondent-

- (a) provides security by paying the sum of £600,000 into court, to be held to the order of the court; or
- (b) makes provision for security in that sum by another method agreed with the Applicant's legal representatives.

(5)The order will cease to have effect on the Third, Fourth or Fifth Respondent if the Third, Fourth or Fifth Respondent-

- (a) provides security by paying the sum of £500,000 into court, to be held to the order of the court; or
- (b) makes provision for security in that sum by another method agreed with the Applicant's legal representatives.

(6)The order will cease to have effect on the Sixth Respondent if the Sixth Respondent-

- (a) provides security by paying the sum of £100,000 into court, to be held to the order of the court; or
- (b) makes provision for security in that sum by another method agreed with the Applicant's legal representatives.

19. The Respondent is not permitted to make any payments:

- (a) From any bank and/or building society account that is held in his and/or its name and/or to which he and/or it is a signatory of which received any of the monies (or any replacement assets as set out at paragraph 14(5) of this

order) that the Applicant paid in respect of the purchase of any interest in the properties known as:

(a) Unit 72, The Edridge;

(b) Unit 35, Richmond; and

(c) Unit 5 Crownage Court, Sunbury-on-Thames, London  
TW16 7NU

if the effect of making any such payment would be to reduce the aggregate balance of the sums held in these accounts to less than the total sum of £377,000.

## **COSTS**

20. The costs of this application are reserved to the judge hearing the application on the return date.

## **VARIATION OR DISCHARGE OF THIS ORDER**

21. Anyone served with or notified of this order may apply to the court at any time to vary or discharge this order (or so much of it as affects that person), but they must first inform the Applicant's solicitors. If any evidence is to be relied upon in support of the application, the substance of it must be communicated in writing to the Applicant's solicitors in advance.

## **INTERPRETATION OF THIS ORDER**

22. A Respondent who is an individual who is ordered not to do something must not do it himself or in any other way. It must not do it through others acting on his behalf or on his instructions or

with his encouragement.

## **PARTIES OTHER THAN THE APPLICANT AND RESPONDENT**

### **23. Effect of this order**

It is a contempt of court for any person notified of this order knowingly to assist in or permit a breach of this order. Any person doing so may be imprisoned, fined or have their assets seized.

### **24. Set off by banks**

This injunction does not prevent any bank from exercising any right of set off it may have in respect of any facility which it gave to the Respondent before it was notified of this order.

### **25. Withdrawals by the Respondent**

No bank need enquire as to the application or proposed application of any money withdrawn by the Respondent if the withdrawal appears to be permitted by this order.

### **26. Persons outside England and Wales**

(1) Except as provided in paragraph 26(2) below, the terms of this order do not affect or concern anyone outside the jurisdiction of this court.

(2) The terms of this order will affect the following persons in a country or state outside the jurisdiction of this court -

- (a) the Respondents or his officer or agent appointed by power of attorney;
- (b) any person who:
  - (i) is subject to the jurisdiction of this court;
  - (ii) has been given written notice of this order at his residence or place of business within the jurisdiction of this court; and
  - (iii) is able to prevent acts or omissions outside the jurisdiction of this court which constitute or assist in a breach of the terms of this order; and
- (d) any other person, only to the extent that this order is declared enforceable by or is enforced by a court in that country or state.

### **Assets located outside England and Wales**

27. Nothing in this order shall, in respect of assets located outside England and Wales, prevent any third party from complying with -

- (1) what it reasonably believes to be its obligations, contractual or otherwise, under the laws and obligations of the country or state in which those assets are situated or under the proper law of any contact between itself and the Respondent; and
- (2) any orders of the courts of that country or state, provided that reasonable notice of any application is given to the Applicant's solicitors.

### **COMMUNICATIONS WITH THE COURT**

All communications to the court about this order should be sent to-

Chancery Associates, Ground Floor, The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL quoting the case number. The telephone number is 020 7947 6733.

The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday.

## **SCHEDULE A**

### **AFFIDAVITS**

The Applicant relied on the following affidavits:

- (i) Adam Haffenden, sworn on 28 August 2019 and filed on behalf of the Applicant;
- (ii) Bhupinder Chohan, sworn on 6 September 2019 and filed on behalf of the Second Defendant in the underlying proceedings;
- (iii) Toby Matthews, sworn on 10 September 2019 and filed on behalf of the Applicant;
- (iv) Bhupinder Chohan, sworn on 18 September 2019 and filed on behalf of the Second Defendant in the underlying proceedings;
- (v) Bhupinder Chohan, sworn on 20 September 2019 and filed on behalf of the Second Defendant in the underlying proceedings; and
- (vi) Adam Haffenden, sworn on 14 October 2019 and filed on behalf of the Applicant.

## **SCHEDULE B**

## **UNDERTAKINGS GIVEN TO THE COURT BY THE APPLICANT**

- (1) If the court later finds that this order has caused loss to a Respondent, and decides that said Respondent should be compensated for that loss, the Applicant will comply with any order the court may make.
- (2) The Applicant will as soon as practicable serve upon the Respondents:
  - a. A copy of the Application Notice;
  - b. A copy of this order;
  - c. Copies of the affidavit and exhibit containing the evidence relied upon by the Applicant, and any other documents provided to the court on the making of the application;
  - d. An application notice for continuation of the order; and
  - e. An application for permission to amend the claim to add the Respondents as parties.
- (3) Anyone notified of this order will be given a copy of it by the Applicant's legal representatives.
- (4) The Applicant will pay the reasonable costs of anyone other than the Respondents which have been incurred as a result of this order including the costs of finding out whether that person holds any of the Respondents' assets and if the court later finds that this order has caused such person loss, and decides that such person should be compensated for that loss, the Applicant will comply with any order the court may make.
- (5) If this order ceases to have effect (for example, if the



Respondent provides security) the Applicant will immediately take all reasonable steps to inform in writing anyone to whom he has given notice of this order, or who he has reasonable grounds for supposing may act upon this order, that it has ceased to have effect.

- (6) The Applicant will not without the permission of the court use any information obtained as a result of this order for the purpose of any civil or criminal proceedings, either in England and Wales or in any other jurisdiction, other than this claim.

**NAME AND ADDRESS OF APPLICANT'S LEGAL REPRESENTATIVES**

The Applicant's legal representatives are-

Axiom Stone Solicitors  
2<sup>nd</sup> Floor, Berkeley Square House  
Mayfair  
London W1J 6BD

Ref: AH/108868.001

Tel: 020 7016 9333  
Fax: 020 7016 9319  
DX: 37231 Piccadilly Exchange