

# Insolvency success for Simon Goldstone in the Court of Appeal

## *Misra Ventures Limited v LDX International Group LLP*

On 22 November 2018 Lord Justice Newey and Sir Timothy Lloyd allowed Misra Ventures Limited's appeal against an injunction restraining it from petitioning to wind up LDX International Group LLP. The injunction had been granted on the basis of a £2.8m cross-claim which LDX had asserted in an application before David Stone sitting as a Deputy High Court Judge [2018] EWHC 275 (Ch).

The Court of Appeal confirmed that whilst a Court hearing an application for an injunction is not to perform a mini-trial, the Court must nevertheless scrutinise the evidence to assess whether or not the cross-claim is of real substance: *Re a Company 006685* [1997] 1 BCLC 639. Their Lordships agreed with Simon's submission that, on a proper analysis, the evidence of the alleged cross claim was insufficient.