

# Sanjay Patel successful in *Energy Works (Hull) Ltd v MW High Tech Projects UK Ltd & Others*

On Tuesday 20 December, the Technology and Construction Court handed down judgment in *Energy Works (Hull) Ltd v MW High Tech Projects UK Ltd & Others*. [Sanjay Patel](#) (appearing with Stephen Dennison KC, Felicity Dynes and Mathias Cheung), instructed by Tony Francis and Karen Gidwani of Fenwick Elliott, appeared for the successful Claimant. The trial lasted 5 weeks.

The case concerns the termination of an EPC Contract relating to an energy-from-waste plant. The Contract was terminated 11 months after the contractual date for completion, although at that stage the contractor had suspended work and still had not completed commissioning. The judge found that the Claimant's termination of the EPC Contract was valid and that the Defendant was in wilful default at the time of the termination.

Although energy from waste plants are widely considered to be at the forefront of attempts to produce green energy, the judgment in *Energy Works (Hull) Ltd v MW High Tech Projects UK Ltd & Others* will be of interest to energy lawyers as it shows the practical challenges and risks faced by those that are developing those plants. The judgment will also be of interest to other infrastructure disputes lawyers as it provides an example of a contractor being in wilful default of reporting obligations.

[Energy-Works-Hull-v-MW-2022-EWHC-3275-TCCDownload](#)