

# TCC hands down judgment in 'ISG Retail Limited V FK Construction Limited [2023] EWHC 2012'

*Yesterday, the TCC handed down judgment in the long running dispute regarding default payee notices 'ISG Retail Limited V FK Construction Limited [2023] EWHC 2012'. It concerns default payee notices under s110B(4) of the Construction Act, and the restitution of sums paid under an adjudicator's decision that is later found by the Court to have been wrong. The wider implications of this decision are wide-reaching within the construction industry.*

*Sean Brannigan KC and Simon Hale (instructed by Mantle Law) for the Claimant.*

*Alexander Hickey KC and Mek Mesfin (instructed by Addleshaw Goddard LLP) for the Defendant.*

*Read the full judgment here: [HT-2023-000160 ISG Retail v FK Construction \[2023\] EWHC 2012](#)*