

Dilan Deeljur

Call: 2006

Contact Dilan Directly: 020 7353 6802 or



Dilan Deeljur has a wide-ranging civil practice with a particular focus on commercial, property and employment law.

Dilan regularly appears in the County Court, High Court (Chancery Division and Queen's Bench Division), Employment and Property Tribunals. He has been praised by judges and clients alike for his pragmatic and straight forward approach.

Dilan has a broad range of experience in dealing with business and commercial disputes. He is regularly engaged by businesses and consumers for issues arising out of business to business and business to consumer contracts. He acts in cases requiring injunctive relief for matters such as restrictive covenants and induced breach of contract, and emergency injunction applications.

His practice in this area also encompasses commercial contracts, commercial property disputes, civil fraud, consumer law, economic torts, costs and damages. Dilan is also often instructed in land, property and tenancy matters including easement, boundary, breach of leasehold, rent and disrepair disputes.

He is currently advising a number of firms on the 'Mercedes Emissions scandal' and on Undisclosed Commission on Insurance claims.

Dilan is widely known as a specialist in consumer credit law and financial irregularity. His previous role as Legal Counsel at a Commercial and Financial Litigation firm allowed him to develop expertise in bringing non-disclosure of commission and unfair relationship claims against major banks and insurers.

Dilan acts in Direct Public Access matters and is qualified to accept instructions directly from members of the Public where applicable.

Location

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Dilan joined the self-employed bar in January 2019 after almost ten years at a specialist commercial litigation firm. While employed as Legal Counsel, Dilan played an instrumental role at the firm in the development of their Financial Litigation department which specialised in unfair relationship/insurance mis-selling claims. The firm was one of the first to make non-disclosure commission claims nationally. Those cases centred on key decisions in *Plevin v Paragon Personal Finance Limited* [2014] UKSC 61 and *McWilliam v Norton Finance (UK) Limited* [2014] EWCA Civ 818.

Therefore Dilan understands cases from a solicitor viewpoint too, which is crucial in modern litigation. He has considerable experience in financial services and consumer credit law with particular focus on financial mis-selling litigation relating to Part 7B unfair relationship claims, S.140A Consumer Credit Act 1974 and breach of fiduciary duty claims.

Notable cases

- Advising claimants in ongoing Group Litigation claim against Mercedes Benz/ Daimler AG re: 'Emissions scandal' [2020 – ongoing]
- Advising claimant groups on application of *Plevin v Paragon Personal Finance Ltd* [2014] UKSC 61 in undisclosed commission claims [2019 – ongoing]
- *ZX Ltd v HL* [2020] – Hearing of application for security of costs in a £100k breach of oral contract claim considering Bestforp principle where parties were in part China-based.
- *IM & others v HH Ltd* [2020] – Represented claimant resident group in claim for negligence, nuisance and trespass to land.
- *SP v EV & AMD Bolgari Ltd* [2020] – hearing on application for specific disclosure under CPR 31 and considering principle established in *Claverton Holdings Ltd v Barclays Bank plc* [2015] EWHC 3603.
- *SW v Southern Rock Insurance Co Ltd* [2020] – Trial for personal injury where further remedies sought under CPR44.16 and Section 57 of CJCA 2015.
- *Tower Hamlets Council v JK Ltd* [2020] – High Court Insolvency Proceedings – (Petition of JK by Tower Hamlets Council) – Application to rescind petition.
- *HMRC v RAD* [2020] – High Court Insolvency Proceedings – (Petition of RAD by HMRC) – Representation and advice provided in opposing petition. Sought annulment on coercion grounds.
- *MS v KMAA* [2020] – Opposed strike out application applying principle in *Hughes v Colin Richards & Co* [2004] EWCA Civ 266 in an unusual claim between a solicitor firm employee and the firm's former client.
- *UK SF Ltd v TC Ltd* [2020] – Contract dispute between building contractors – successfully applied to set aside a strike out on circumstances of the case grounds even though not good reason for default, applying *Decadent Vapours v Bevan & Salter* [2014] EWCA Civ 906.
- *TD v Covea Insurance* [2020] – Represented Defendant Insurer in RTA Stage 3 Hearing under CPR Part 8.
- *JMG Ltd v OTAH Ltd* [2020] – Advising defendants in £300,000 termination of contract claim involving interpretation of notice clauses and *Mannai Investments Co Ltd v Eagle Star Assurance* [1997] AC 749 and from *Architectural Installation Services Limited v James Gibbons Windows Limited* (1989) 46 BLR 91.
- *DB Ltd v KC Ltd* [2020] – Represented Defendant in large construction company contractual dispute and successfully struck out Claimant's claim.
- *A Tech Ltd v KJ & others* – Advising defendants in large value breach of directors' duties (unauthorised withdrawals) claims that include contempt committal proceedings. High Court trial due to take place in 2021.

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- *EH Ltd v BH Ltd* – Advising Proposed creditor on correct route, whether Part 7/8 or winding up proceedings to claim £68,000 owed by proposed debtor business (2020). *NS Ltd v AI Ltd* [2020] – Represented director Defendant company in large value claim. Successfully applied for relief from sanctions and obtained security for costs against Claimant applying principle in *Jirehouse Capital & Anor v Beller & Anor* [2008] EWCA Civ 9
 - *J v AR* [2019] – represented claimant in breach of contract and unpaid consumer debt case.
 - *JE v Kings College* [2020] – Successful claim against employer for workplace injury – drafting pleadings, advised client and negotiated settlement on her behalf.
 - *MLtd v PC* – Drafted Specific Disclosure application and pre-action letter in Care Home company directors dispute (2020).
 - *EK v EM Ltd* – Advising claimant and drafting letter before claim in respect of claim for repayment of £30k fee paid for wedding venue organised during Covid-19 lockdown. Case settled (2020).
 - *JSLs Ltd v SM* – Advising Debtor in respect of statutory demand and drafting letter of response (2020).
 - *ATD Ltd v AB Ltd* – advising proposed claimant in international goods shipping breach of contract claim (2020 -2021).
 - *PP v Direct Line* – advising on quantum in personal injury matter (2020).
 - *AB v Solar Ltd* [2020] – Application to set aside default judgment applying principles in *Daniels v. Lloyds Bank PLC* [2018] EWHC 660 (Comm)
 - *BP v Thames Water* [2020] – Represented and advised Claimant throughout claim for damages after Claimant’s business property flooded from burst water main. The claim was for further damages from loss due to delay in original compensation payment from Defendant. Claim settled before trial.
 - *EB v KAZ Ltd* – Advising company director of large Restaurant group on Unfair Prejudice Petition and Derivative claim (since 2019).
 - *M v TFL* [2019] – Uber licence revocation case involving allegations of dishonesty and applying principles from *SM and Qadir v Secretary of State for the Home Department (ETS – Evidence – Burden of Proof)* [2016] UKUT 00229 (IAC)
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- *WS v SV* – Represented solicitor firm in £70k claim for unpaid fees against former client (2019 -2020).
 - *IC v CC* – Drafting Particular of Claim for Specific Performance in dispute between executor of estate and family member (2019).
 - *SGM v P Ltd & others* – Representing Claimant in misrepresentation, deceit and breach of contract claim between an ostensible investment company and an investor (2019).
 - *LB v Volvo* – Advising client on claiming against car manufacturer for mis-sold and fault vehicle (2019)

Financial Services including Consumer Credit

Notable cases

- *YP v Royal Bank of Scotland Plc* [2020] – Represented claimant at trial for insurance mis-selling which included arguments on limitation and application of *Patel v Patel* [2009] EWHC 3264 and on compromise agreements (i.e. whether or not the Defendant could rely upon a signed offer and acceptance slip).

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- *AH v MBNA* [2020] – Successful appeal involving application of doctrine of res judicata in Financial mis-selling claim where Financial Ombudsman had made partial decision and awarded redress in non-disclosure of commission case. Relied on principles established in *Clark v In Focus Asset Management* [2014] EWCA Civ 118.
- *PB v Royal Bank of Scotland* [2020] – Represented claimant at trial in s.140A Consumer Credit Act 1974 claim against major lender, relying upon *Canada Square v Potter* [2020] EWHC 672.
- *JR v MBNA* – Drafting Particulars of claim in profit share and undisclosed commissions case (2020).
- *MB v M&S Financial Services PLC* – Drafting Particulars in non-disclosure of commission claim (2020).
- *MB v M&S Financial Services PLC* – Advising claimant on suitability of FCA DISP offer and merits of mis-selling claim (2020).
- *Rahman v Barclays* – advising on breach of contract and breach of BCOBS against banking institution (2020).
- *EJ v Capital One* – Advising on merits initially and general case strategy after issuance in financial mis-selling claim. Case settled (2019).
- *SH v Lloyd Bank PLC* – Advising on case strategy and quantum in financial mis-selling claim (2019)
- *KT v Halifax* – Advised claimant in claim where lender had unilaterally and wrongly applied incorrect interest rate on mortgage account in breach of MCOB (2019).
- *BE v Lloyds Bank* – Drafting and advising on witness statement in financial mis-selling claim (2019).

Land & Property Disputes

Notable cases

- *Natwest Bank v FOI Ltd* [2020] – Appeal based on setting aside possession order under CPR 39.3(5), the interpretation of ostensible authority in *Armagas v Mudogas* (1986) and the application of restitutionary principles following *Westdeutsche* (1996).
- *MS v ASB* [2020] – Successful claim and permanent injunction obtained after multitrack trial for breach of easement after defendant impeded access to driveway by erecting post and gates and applying principle in *Moncrieff v Jamieson* [2008] 4 All ER 752.
- *MM v SA & MA* [2020] – Interim injunction obtained in case related to property sold under undue influence and tort of deceit. Particulars of claim drafted in matter which led to settlement of most of the issues.
- *LBC v S* [2020] Possession Hearing application where successfully argued that issue of D's exams precluded trial from taking place.
- *S v CL LTD* [2020] – Property disrepair and unpaid rent claim at Central London CC.
- *BP TP v KK MK & BK* – [2020] – breach of easement interference and trespass, issues on locus.
- *MA v SYC* [2020] – Obtained interim injunction allowing Claimant back into property and restaurant business following his 'ousting'.
- *STA v IW Group Ltd* – Advising claimant in commercial lease dispute and 'auto-renewal' clauses (2020).
- *A v OA* [2019] – Represented claimant in Accelerated Possession proceedings under Part 55.
- *BOS v MT* [2019] – Application to set aside a possession order under CPR39.3(5) applying *Hackney v Findlay* [2011].
- *Natwest Bank v FOI Ltd* [2019] – Represented Defendant in set aside application of possession order based on CPR39.3(5) and Findlay and Hackney.

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Employment

Notable cases

- *SS v JJD LTD & DHL* [2020] – represented claimant in employment tribunal in sex discrimination case. Claim settled.
- *DT v MB LTD* [2020] – represented claimant for racial discrimination with extending time grounds drafted successfully. Claim settled.
- *NN v LW LTD* [2020] – Application to include victimisation claim allowed at Employment Tribunal CVP hearing.
- *ES v Royal Embassy of Saudi Arabia* [2020] – Advising claimant on prospects of success on unfair dismissal claim where jurisdiction of claim (and state immunity) were in question. Direct Application of principles in *Benkharbouche v SS for Foreign and Commonwealth Affairs* [2017] UKSC.
- *TI v SD & FHB LTD* [2020] – Represented Defendants in sexual discrimination claim by former employee against beauty parlour and salon business.
- *MI v GDC* [2020] – Represented claimant at final hearing in unfair dismissal and discrimination claim.
- *IN v T Ltd* [2020] represented claimant an expert in IT systems in 8-day trial of unfair dismissal and race discrimination claim.
- *K v Serco* – Advising on quantum in disability discrimination claim (2020).
- *HSK v Barclays Bank PLC* – Advising claimant in unfair dismissal and race discrimination claim (2020).

Appointments

Gray's Inn

Financial Services Lawyers Association

Chancery Bar Association

Employment Law Bar Association

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