Fit-Tribunal tal-Konsumatur

David Ristikj

Vs

KIS Services Limited

CCT 208/25/CC

Today 5th May, 2026

The Tribunal;

Having seen the claim filed by claimant on the 10th December 2025, whereby claimant requested a refund of €40 (fourty euros) being an amount paid by claimant, relating to clamping of his vehicle at Mater Dei Hospital parking.

Having seen that respondent company duly notified with the Notice of Claim, and Notice of Appointment of Sitting submitted a reply, whereby it contested the claim as presented by claimant.

Having seen the acts of the case.

Having heard claimant give evidence on oath during the sitting dated 3rd February 2026, and having heard respondent company's representative give evidence on oath during the sitting dated 10th March 2026.

Considers;

The claim relates to a clamping fee amounting to €40 (fourty euros) paid by claimant, in view of parking in a bay with 'Permit not displayed' being the reason for the clamping. Claimant explains that no visible signage was displayed in the area, and he was not aware that parking was prohibited in the designated parking area.

The claimant contacted the respondent company requesting a refund of the said amount. However following various email exchanges this proved unsuccessful, and subsequently the claimant had to seek recourse to these proceedings.

Respondent's company affirms that the parking area where claimant parked his vehicle is specifically designated for hospital staff, and such parking area is appropriately equipped with signage. Respondent company states that the claimant failed to visualise such signage. The respondent's company representative explained that the parking area has various entries, which are all equipped with the relevant signs indicating that the parking is reserved for hospital staff.

Considers;

The Tribunal took cognizance of the depositions of the claimant and of respondent's company representative, and of the extensive documentation filed by both parties in the acts of these proceedings, particularly the photographs presented by both parties.

The Tribunal, having seen the acts of the case, the documentation filed by claimant, and the documentation filed by the respondent's company representative, is of the opinion that the version presented by the respondent company is more credible, and therefore does not uphold the version presented by the claimant.

Consequently and upon review and careful examination of the facts of this case, and also upon review of the documentation and acts of this proceedings, in line with Chapter 378 of the Laws of Malta, the Tribunal rejects the request filed by claimant.

Each party is to individually borne the expenses incurred in these proceedings.

C. Cherrett

Dr Charmaine Cherrett

Arbiter