

3PB Barrister Profile



Jamal Demachkie

Call 2004

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Academic Qualifications

MA Jurisprudence (Oxon)

Jamal Demachkie is an established civil practitioner with a proven track record in Property and Commercial law. He is a member of Chambers? Property & Chancery and Commercial groups and has experience of advocacy in the County Court and High Court as well as the Court of Appeal.

Jamal?s practice encompasses the full ambit of Property law. His work covers all aspects of real property, including: easements, covenants and profits à prendre, boundary disputes (including trespass and nuisance), conveyancing and land registration, adverse possession and proprietary estoppel.

Jamal has particular expertise in the law of Landlord & Tenant, undertaking a broad range of work in both the commercial and residential field. He is frequently instructed in forfeiture and possession proceedings and disrepair/dilapidation claims, representing both landlords and tenants.

In addition to experience in both High Court and County Court jurisdictions, Jamal regularly appears before various statutory tribunals and committees, dealing with disputes relating to service charges, enfranchisement and lease renewal to name but a few.

Jamal is regularly instructed in Chancery Law disputes, embracing areas such as s14 ToLATA applications, co-ownership, constructive trusts and professional negligence. He advises in both contentious litigation and non-contentious drafting.

Some notable recent cases

Valencia v Llupar [2012] EWCA Civ 396

The Court of Appeal held that negotiations to enter into a partnership agreement were 'subject to contract' and that no partnership at will arose. The money paid by the Respondent to the Appellant ought to be returned under the principles of unjust enrichment.

Patel & Anr v Keles & Anr - [2010] Ch 332

Jamal successfully represented the Respondent Tenants in their Landlords' appeal concerning the renewal of a business tenancy. The Court of Appeal considered for how long a landlord must intend to occupy premises so as to satisfy the requirements of s.30(1)(g) of the Landlord and Tenant Act 1954 when opposing a tenant's application for a new business tenancy. The appeal was against an earlier decision also obtained by Jamal from HHJ Cowell in the Central London County Court.

Piper Trust Ltd v Caruso (UK) Ltd (Land Registry Adjudication, Ref: 2009/0623)

A Land Registry Adjudication concerning the extent to which the LRA 2002 permits the retrospective rectification of interests so as to take priority over competing interests granted between the original error and the date of rectification. Jamal successfully opposed an application to rectify the register following a fraud perpetrated by the freehold proprietor.

Stern v Lawnpond - [2009] EWHC 268 (Admin) [2009] All ER (D) 320 (Jul)

An appeal to the High Court confirming that no binding agreement had been reached between the parties on the rent due under a tenancy. The case establishes that it is impermissible to equate a rent for a quarterly tenancy with a rent of one third of that amount for a monthly tenancy.

Professional Qualifications and Appointments

- Accredited Mediation Advocate

Professional Bodies

- Chancery Bar Association
- Property Bar Association