

Colin Challenger

Colin has a broad commercial and property practice with an emphasis on technical and engineering matters, business disputes and with a particular expertise in claims involving allegations of fraud. He is an accomplished advocate whose skill in cross examination is ideally suited to exposing the dishonesty of witnesses whose evidence is untrue.

Further information

Qualifications

- LLb (Kings College London); MBA (University of California, Berkeley)

Languages

- French

Memberships

- Combar

Background

Colin had an academic background in pure and applied mathematics, physics and chemistry. Frequently his contentious work involves disputes where detailed consideration of such areas as mechanical engineering and electronics is involved.

Interests

- Music and literature
- Food and Drink
- Theatre and Cinema
- Riding horses and keeping bees
- The Northwest Frontier Province of Pakistan

Property

Colin's property work is largely in the area of commercial landlord and tenant. In addition he has a specialism in boundary and riparian disputes.

Related cases of interest

Javad v Mohammed Aqil [1991] 1 WLR 1007 — Nature of tenancy formed by conduct depends upon intention of



Year of Call: 1970

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parties.

Annen v Rattee [1985] 17 HLR 323; 266 EG 311 — Authority of one joint tenant/tenant in common to devolve interest in land.

Commercial

Colin's commercial work includes contractual and carriage disputes, insolvency and commercial debt recovery and partnership and shareholder disagreements. In addition to contentious work he enjoys drafting of commercial agreements and other platforms designed to avoid dispute. He is also an accomplished practitioner in the field of mediation and other forms of ADR. He is skilled at obtaining settlement on terms better than solicitor or client had expected.

Related cases of interest

Karagozlu v Commissioner of Police of the Metropolis [2006] EWCA Civ 1691, Lawtel 12.12 — Loss of liberty (or existing residual liberty) of a serving prisoner gives rise to general damage hence a claim for misfeasance causing that loss will lie even in the absence of special damage.

Kooltrade v XTS [2001] ADRLR 07/11 — Threat of proceedings for breach of IP rights is not actionable if made in "without prejudice" negotiations but the claim to privilege must be sustainable

Mullen v Conoco [1997] 3 WLR 1032 — Application of the principle of res judicata in cases where there has been a default judgement.

Lazenby & Co v McNicholas Construction Co Ltd [1995] 1 WLR 615 — Discretion to strike out for want of prosecution in commercial arbitration under section 13A of the Act is confined by rule in Birkett v James.

