

JUDGMENT SUMMARY

Neutral Citation	[2025] ADGMCFI 0031
Case Number	ADGMCFI-2025-004 and ADGMCFI-2025-017
Name of Cases	Taslin Tejrar v. Ahmed Nasser Hussain Alghanim & Others Rubina Mohammed Umer v. Ahmed Nasser Hussain Alghanim & Anor.
Judge	Justice Paul Heath KC
Date Issued	10 December 2025
Catchwords	ADGM Real Property Regulations 2024. Consequences of registration under ss.22 and 23. Exceptions to indefeasibility of title under s. 24(f).
Cases Cited	<i>Breskevar v Wall (1971) 126 CLR 376 (HCA)</i> <i>Federal Properties Ltd – Sole Proprietorship LLC (also known as Federal Properties Ltd) v Ibrahim & Ors [2025] ADGMCFI 0013</i> <i>Federal Properties Ltd – Sole Proprietorship LLC (also known as Federal Properties Ltd) v Ibrahim & Ors [2025] ADGMCA 0002</i> <i>Re D & D Wines International Ltd (in liq); Bailey & Anor v Angove's Pty Ltd [2016] UKSC 47</i>
Legislation and Authorities Cited	ADGM Real Property Regulations 2024 Federal Cabinet Resolution No 41 of 2023 UAE Civil Code (Federal Law No. (5) of 1985)
Executive Summary	This judgment of the Abu Dhabi Global Market (“ ADGM ”) Court of First Instance concerned two related claims (ADGMCFI-2025-004 and ADGMCFI-2025-017). The dispute related to competing interests in real property on Al Reem Island. The Claimants, Ms. Taslin Tejrar and Ms. Rubina Mohammed Umer, sought declarations confirming their status as registered proprietors of

	<p>their respective Units. Their titles were challenged by Mr. Ahmed Nasser Hussain Alghanim, who relied on attachment orders issued by the onshore Abu Dhabi Courts to enforce a debt against the previous seller, Mr. Mohanad Abdulaziz Nori Al Samerai. The Court found that both Claimants were <i>bona fide</i> purchasers for value without notice of Mr Alghanim's interests in the Units. They had engaged in no conduct that would trigger an exception to indefeasibility under section 24(f) of the ADGM Real Property Regulations 2024 (the “Real Property Regulations”), which came into force on Al Reem Island on 1 January 2025. Their registered titles were therefore protected. The Court declared Ms. Tejrar and Ms. Umer to hold indefeasible title to their Units, free from Mr. Alghanim's claims.</p>
<p>Overall Summary</p>	<p>Ms Tejrar became the registered owner of a Unit in Sun Tower, on Al Reem Island, on 14 November 2023. Ms Umer became the registered owner of a Marina Square Unit, on Al Reem Island, on 21 December 2022. The Claimants' title to the Units was registered with Abu Dhabi Municipality on settlement.</p> <p>Both Units were previously owned by Mr Al Samerai. Mr Alghanim obtained a judgment against Mr Al Samerai before the onshore Abu Dhabi Courts on 24 November 2022. The judgment was upheld on appeal and again by the Court of Cassation on 7 May 2023. On 13 February 2024, an execution judge issued attachment orders in relation to the judgment debt over properties held by Mr Al Samerai, including both Units.</p> <p>Both Claimants said they were unaware of Mr Alghanim's interest in the Units or the attachment orders issued by the onshore Abu Dhabi Courts when they purchased the Units. Due diligence by the estate agent showed no third-party interests. The Claimants initially succeeded in lifting the attachments in the onshore Abu Dhabi Courts, but that decision was reversed on appeal for lack of standing on 26 November 2024.</p> <p>The Claimants brought separate claims before ADGM Courts in January 2025 seeking declarations of title in the Units.</p> <p>Mr Alghanim argued that Mr Al Samerai's fraud tainted the transfers of title in the Units and gave him a priority interest over the Claimants in the Units. The Claimants submitted that their titles could only be challenged if their own conduct created an equitable obligation which would result in them holding the property on Mr Alghanim's behalf.</p> <p>Mr Alghanim accepted that neither Claimant had notice of the attachments at the time of purchase. For this reason, the Court found both Claimants were <i>bona fide</i> purchasers for value without notice. The Court found that the Claimants engaged in no conduct that would trigger an exception to indefeasibility under section 24(f) of the Real Property Regulations. The relevant exception can only impeach title</p>

	where an equitable obligation was created through the registered owner's own conduct. The Court declared each Claimant to hold indefeasible title to her Unit, free of any claim by Mr Alghanim. The claims against the remaining Defendants were stayed.
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This statement is not intended to be a substitute for the reasons of the Court or to be used in any later consideration of the Court's reasons.