

# HOWARD KENNEDY

Civil Appeals Office  
Room E307, Royal Courts of Justice  
Strand  
London  
WC2A 2LL

Our ref 061514.00004

By CE File and by email  
E: civilappeals.cmsB@justice.gov.uk

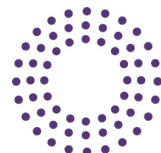
Dear Sir or Madam

17 February 2026

**Alkiviades David ("Appellant") v Mahim Khan ("Respondent")**  
**CA-2025-002562**

1. We refer to the above appeal in which we act for Mahim Khan, the Respondent. For completeness, the Appellant is copied to this correspondence using his three email addresses provided for service in the proceedings brought against the Appellant by the Respondent in case number KB-2025-001991.
2. This letter is intended to assist the court in respect of the Appellants' appeal.
3. On 13 February 2026, a letter was sent to Mr David advising him to file a bundle by 4pm on 20 February 2026.
4. We note, the Appellant filed documents, by way of email, on 13 February 2026 at 20:43 and 15 February 2026 at 0:30 and 0:58.
5. It is our understanding that these emails do not constitute compliance with the courts' direction to file a bundle. However, if the court is minded to accept these emails as the Appellant filing their bundle, the Respondent would like to bring to the courts attention that the Appellant does not require permission to appeal the Contempt Order of Dame Justice Stacey dated 16 October 2025.
6. Pursuant to Civil Procedure Rule 52.3, the Appellant has an automatic right of appeal. CPR 52.3 (1)(a)(i) states:

*(1) An appellant or respondent requires permission to appeal—*



*(a) where the appeal is from a decision of a judge in the County Court or the High Court, or to the Court of Appeal from a decision of a judge in the family court, except where the appeal is against—*

*(i) a committal order made in the County Court or by a single judge of the High Court not sitting on an appeal*

7. The Appellant's application can therefore be decided with or without a hearing.

8. **THE RESPONDENT'S POSITION**

8.1 For the avoidance of doubt, the Respondent's position remains as set out in our letter dated 6 January 2026 (a copy of which is enclosed). The Respondent has not been served with the notice of appeal by the Respondent but since our letter dated 6 January, we have now been able to view the notice of appeal on the CE file for the appeal.

9. **NEXT STEPS**


9.1 We would be grateful if this correspondence and all enclosures could be placed before the Court of Appeal for urgent consideration.

9.2 We would be grateful if you could acknowledge safe receipt to the following email addresses:

Rebecca.Hume@howardkennedy.com;  
Ajay.Fournillier@howardkennedy.com; and  
Boniswa.Dzere@howardkennedy.com.

9.3 We look forward to hearing from you.

Yours faithfully



Howard Kennedy LLP  
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boniswa.dzere@howardkennedy.com

**Encs:**

1. Letter dated 13 February 2026;
2. Appellant's email dated 13 February 2026 (inc enclosures)
3. Appellant's emails dated 15 February 2026 (inc enclosures);
4. Contempt Order;
5. Respondent's Letter dated 6 January 2026 (enclosures omitted).