

Pakistan International Airline Corporation (Respondent) v Times Travel (UK) Ltd (Appellant)

Case ID: UKSC 2019/0142

Case summary

Issue

What are the ingredients of economic duress? Can economic duress arise where lawful acts or threats are made by one party in support of a demand which that party genuinely believes it is entitled to make?

Facts

The Respondent, Pakistan International Airline Corporation ("PIAC"), had entered into a contract with the Appellant, Times Travel (UK) Ltd ("Times Travel"), pursuant to which Times Travel would act as ticketing agent to PIAC. Times Travel was a small family-owned travel agency. Its business was very largely dependent on its ability to sell PIAC's tickets. By 2012, a large number of PIAC's ticketing agents had either commenced or threatened proceedings to recover substantial sums they said PIAC owed to them by way of commission.

In September 2012, PIAC gave lawful notice of the termination of its existing agency contracts and offered Times Travel a new contract. The new contract contained a waiver by Times Travel of its claims for unpaid commission under the prior arrangements. Times Travel accepted and signed the new contract.

In 2014, Times Travel brought proceedings to recover unpaid commission and other payments which it said were due to it under the prior contractual arrangements. At first instance, the High Court held that Times Travel was entitled to avoid the contract with PIAC on the grounds of economic duress.

The Court of Appeal allowed PIAC's appeal. Times Travel now appeals to the Supreme Court.

Judgment appealed

[\[2019\] EWCA Civ 828](#)

Parties

Appellant(s)

Times Travel (UK) Ltd

Respondent(s)

Pakistan International Airline Corporation

Appeal

Justices

Lord Reed, Lord Hodge, Lord Lloyd-Jones, Lord Kitchin, Lord Burrows.

Hearing start date

02 Nov 2020

Hearing finish date

03 Nov 2020

Watch hearing

02 November 2020 [Morning session](#) [Afternoon session](#)

03 November 2020 [Morning session](#) [Afternoon session](#)

Judgment details**Judgment date**

18 August 2021

Neutral citation

[2021] UKSC 40