

### CISG-online 7357

Jurisdiction	Denmark
Tribunal	Vestre Landsret (Court of Appeal for the Western Circuit)
Date of the decision	13 November 2024
Case no./docket no.	BS-2042/2024
Case name	<i>Ace Hayvancilik Ve Tarim Sanayi Ticaret Ltd. Sti v. ApS KBIL 9 NR. 536</i>

### Abstract

*by Kasper Steensgaard\**

A Turkish buyer purchased 100 Jersey heifers from a Danish seller. The parties agreed that the heifers were to be delivered in Turkey and that the purchase price would be paid in three installments. As the seller did not receive proof of payment for the final installment – which was due two days before the scheduled handover to the buyer's transporter – the seller refused to proceed with the delivery. The Court of Appeal for the Western Circuit found that the seller under these circumstances was entitled to withhold delivery and therefore acquitted the seller of the buyer's claims, including compensation for futile transportation costs and expenses related to stabling etc.

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\* Dr. Kasper Steensgaard is a professor at the Department of Law at Aarhus BSS, Aarhus University (Denmark).