

J A Pye (Oxford) Ltd v Graham [2003] A C 419

<http://lawcasesummaries.com/knowledge-base/j-a-pye-oxford-ltd-v-graham-2003-a-c-419/>

Facts

- Graham and Pye live next door to each other.
- Pye owns a significant amount of land because as early as 1977 he recognised it's development potential
- Pye allows Graham to use the land for grazing cattle. Graham does upkeep such as repairing fences, cutting the grass. He held the key.
- In 1983, they enter into a year long agreement but stipulate after that it needs to be reconsidered. This never happens and Pye continues to use the land.
- In 1998, Graham tries to get the land back as it is now worth millions for development. Pye refuses citing adverse possession.

Held

- Begrudgingly the House of Lords sided with Graham even though they all commented on the injustice of the decision
- Pye had factual possession, he intended to possess, and Graham had given him permission to possess
- The statute of limitations was 12 years

Note: The legislation was changed in response to this and this would now not be possible.

Law case summary from www.lawcasesummaries.com