

**IN THE HIGH COURT OF THE COOK ISLANDS  
HELD AT RAROTONGA  
(LAND DIVISION)**

**APPLICATION NO. 390A 7/15**

<b>IN THE MATTER</b>	of the land known as <b>MARAERA 90G, ARORANGI</b>
<b>AND</b>	
<b>IN THE MATTER</b>	of an application under s 390A of the Cook Islands Act 1915
<b>BETWEEN</b>	<b>NOOROA TUORO</b> Applicant
<b>AND</b>	<b>MARETA FAMILY</b> Respondent

Judgment: 20 June 2018

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**JUDGMENT OF HUGH WILLIAMS, CJ**

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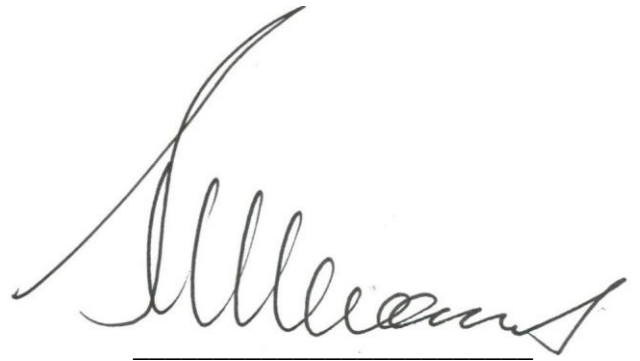
[WILL0437.dss]

[1] By application dated 22 June 2015 the abovenamed applicant sought a rehearing of succession orders granted on 14 December 1976 and 8 September 1980 on the grounds set out in the application but, when the file was referred to Weston CJ on 7 June 2016 his minute of that date listed the deficiencies in the application and required the applicant to regularise them.

[2] As observed in a minute dated 31 October 2017, none of those deficiencies had been rectified in the more than 16 months which had lapsed since the first Minute was issued and, as a result, the applicant was directed to comply with and rectify the deficiencies identified in the 7 June 2016 Minute by 15 December 2017. The applicant was warned that, were they not rectified, the proceeding would be dismissed for non-prosecution and as being procedurally incapable of adjudication.

[3] When the file was reviewed on 28 May 2018 it was ascertained that no action had been taken by the applicant to rectify the deficiencies identified two years previously despite the minatory terms of the minute of 31 October 2017.

[4] In the result the application is dismissed for non-prosecution and for being procedurally incapable of adjudication.

A handwritten signature in cursive script, appearing to read 'H Williams', written in black ink. The signature is fluid and stylized, with a prominent initial 'H'.

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**Hugh Williams, CJ**