

IN THE COURT OF APPEAL, FIJI
[On Appeal from the High Court]

CIVIL APPEAL NO. ABU 027 of 2023
[Civil Action: ERCC 13 of 2018]

BETWEEN : **WATER AUTHORITY OF FIJI** of Manohan Building, Wainivula
Road, Nasinu

Appellant

AND : **OPETAIA RAVAI** of Laucala Beach Estate, Nasinu, Businessman

Respondent

Coram : **Prematilaka, RJA**

Counsel : **Ms. N. Choo for the Appellant**
Mr. V. Filipe for Respondent

Date of Ruling : **22 March 2024**

RULING IN CHAMBERS


1. The appellant and the respondent have filed a joint notice of motion on 21 March 2024 seeking the following orders to be entered by consent:
 - a) **THAT** leave be granted to the appellant to appeal the Ruling of Justice Angela Wati delivered on 7th February 2020;
 - b) **THAT** leave be granted for the appellant's Notice and Grounds of Appeal to be filed out of time;
 - c) **THAT** the proceedings in the Employment High Court in ERCC No. 13 of 2018 between Opeteia Ravai and Water Authority, be stayed until the final determination of the Notice and Grounds of Appeal;

d) **THAT** both parties will bear their own costs.

2. Upon reading the said joint notice of motion filed by the parties and the oral submissions made in support thereof on 21 March 2024, this court hereby makes the following orders:

- 1) *Leave is granted to appeal the decision orally delivered on 07 February 2020 and the written judgment delivered on 19 January 2024 by Justice Angela Wati;*
- 2) *Leave is granted for the appellant's notice and grounds of appeal to be filed out of time;*
- 3) *The proceedings in the Employment High Court in ERCC No. 13 of 2018 between Opetaia Ravai and Water Authority is stayed until the final determination of the appeal;*
- 4) *Both parties will bear their own costs.*




.....
Hon. Mr. Justice C. Prematilaka
RESIDENT JUSTICE OF APPEAL

Solicitors:

R. Patel Lawyers for the Appellant
Redwood Lawyers for the Respondent