

IN THE HIGH COURT OF FIJI  
AT SUVA  
CIVIL JURISDICTION

CIVIL ACTION No. 534 of 2008

BETWEEN:

JIOJI KOTOBALAVU of 17 Kaka Street, Samabula, Suva

PLAINTIFF

AND:

THE PUBLIC SERVICE COMMISSION an interim service  
commission continued in existence under section 142(c) of the  
Constitution

FIRST DEFENDANT

AND:

INTERIM PRIME MINISTER in his capacity as interim Prime  
Minister and chairperson of Cabinet

SECOND DEFENDANT

INTERIM MINISTER OF PUBLIC SERVICE also responsible for  
the Public Service Commission

INTERIM ATTORNEY-GENERAL

FOURTH DEFENDANT

Appearances:

Mr Q. Bale for the Plaintiff

Mr E. Tuiloma with Ms S. Waqainabete and Ms S. Serulagilagi for the Defendants


Date of Hearing: 17 July 2008

Date of Orders: 18 July 2008

Orders

1. The Defendants/Applicants' application for this proceeding to be consolidated with five other proceedings, namely HBC Action No. 468 of 2007, HBC Action No. 535 of 2007, HBC Action No. 297 of 2007, HBC Action No. 438 of 2007 and HBC Action No. 406 of 2007 is granted, subject to Order 3.
2. All six matters to be listed for mention before me on Monday 21 July 2008 at 11.30am.
3. On that day:

- a determination will be made as to consolidation of the proceedings as six proceedings to be advanced simultaneously, or as two sets of three proceedings fixed by reference to the party authorizing the termination of the respective Plaintiffs' contracts;
  - a timetable will be set for the speedy finalisation of all outstanding steps in relation to all six proceedings, so that the actions can proceed to hearing in as speedy and orderly manner as possible;
  - a determination will be made whether to vacate the listing before the Master on 1 August 2008.
4. Reasons for judgment, including judgment in respect of the application for a stay pending the judgment of the High Court in with the matters *Laisenia Qarase, Ratu Naiqama Lalabalavu, Ro Teimumu Kepa, Ratu Suliana Matanitobua, Aid Sivia Qoro and Josefa Vosanibola; and Ratu Apenisa Kalokalo Loka and Peceli Kinivuwai v. Josaia Voreqe Bainimarama, The Republic of Fiji Military Forces, The State of the Republic of the Fiji Islands and the Attorney General of the Interim Regime* (HC Action No. 60 of 2007S) (*Qarase case*) and *Republic of the Fiji Islands and Attorney-General v. Laisenia Qarase, presently of Mavana Village, Vanuabaiavu, Lau, former Prime Minister and Josefa Vosanibola, former Minister for Home Affairs* HCCA No. 398 of 2007S) (*Republic and A-G v. Qarase and Vosanibola*) will be delivered on that day (Monday 21 July 2008 at 11.30am).

  
DeeLynne A. Scutt  
Judge  
Suva  
18 July 2008

