

IN THE HIGH COURT OF FIJI

(WESTERN DIVISION) AT LAUTOKA

CIVIL ACTION NO. 103 of 2014

BETWEEN : **RAJ DATT** of Navakai, Nadi, Fiji, Retired.

PLAINTIFF/RESPONDENT

AND : **SUNIL DATT** of Navakai Nadi, Fiji Supervisor in his personal capacity and as one of the Administrator of the **ESTATE OF RUDRA DATT** father's name Badal of Navakai, Nadi, Fiji, Cultivator and as one of the Executor and Trustee in the **ESTATE OF SHEELA** father's name Angu Prasad of Navakai, Nadi, Domestic Duties.

1ST DEFENDANT/APPLICANT

AND : **RAM DATT** of Navakai Nadi, Fiji Carpenter in his personal capacity and as one of the Administrator of the **ESTATE OF RUDRA DATT** father's name Badal of Navakai, Nadi, Fiji, Cultivator and as one of the Executor and Trustee in the **ESTATE OF SHEELA** father's name Angu Prasad of Navakai, Nadi, Domestic Duties.

2ND DEFENDANT

AND : **ANIL DATT** of Navakai Nadi, Fiji Driver in his personal capacity and as one of the Administrator of the **ESTATE OF RUDRA DATT** father's name Badal of Navakai, Nadi, Fiji, Cultivator and as one of the Executor and Trustee in the **ESTATE OF SHEELA** father's name Angu Prasad of Navakai, Nadi, Domestic Duties.

3rd DEFENDANT

AND : **MANJULA WATI** of Navakai Nadi, Fiji, Domestic Duties in her personal capacity and as one of the Administrator of the **ESTATE OF RUDRA DATT** father's name Badal of Navakai, Nadi, Fiji, Cultivator and as one of the Executor and Trustee in the **ESTATE OF SHEELA** father's name Angu Prasad of Navakai, Nadi, Domestic Duties.

4TH DEFENDANT

AND : **DIRECTOR OF LANDS**

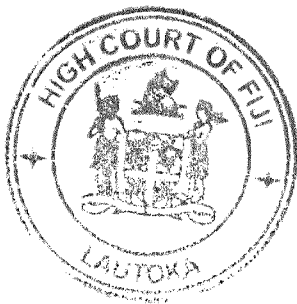
5TH DEFENDANT

Counsel : Plaintiff appears in person
: Ms M Lee for the 5th defendant

Date of Hearing : 18.3.2016

R U L I N G

1. This is an application filed by the plaintiff to do search and discovery of certain documents held at the office of the Registrar of Title. The applicant is against the 5th Defendant only.
2. This application has been made under O.24.r.7 of the High Court Rules which allow a party to discover particular documents if they are relevant to the cause of action.
3. Ms Lee, counsel appearing for 5th Defendant objected to the application on the ground that the applicant is a third party.
4. I reject the objection raised by counsel for 5th Defendant as the application is made by the plaintiff and the document he is seeking to discover is relevant to the cause of action.
5. I accordingly order the 5th Defendant to allow to discover document Lot 4 CL 1093, (LD4/10/1926) and to make copy if necessary.
6. Costs shall be in the cause.



M H Mohamed Ajmeer
18/3/16

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M H Mohamed Ajmeer

JUDGE

At Lautoka

18 March 2016