

In the High Court of Fiji at Suva
Civil Jurisdiction
HPP Action No. 06 of 2010
Between
Arun Kumar and Adit Kumar
Second and Third Plaintiffs
And
Anoop Kumar
Defendant

COUNSEL: Mr A. Singh for the second and third plaintiffs
Mr R. Singh for the defendant
Date of hearing: 16th March, 2017
Date of Sentence 21st March, 2017

SENTENCE

1. On 2nd February, 2017, I found you guilty of having willfully disobeyed the Order of Court delivered on 15th July, 2015, whereby I ordered you as administrator of the estate of Surendra Prasad to distribute the balance of the estate to the beneficiaries within three months from the date of Judgment and I convicted you of contempt of court .
2. I heard you on sentence.
3. The only mitigating factors are that you are a first offender, 63 years of age and have medical issues.
4. I have examined you on your means and I find that you have the capacity to pay the fine I impose on you.

5. Orders

- i. I impose a fine of \$ 5000 on you. In default of payment of the said fine within a period of thirty days from the date of this sentence, I commit you to prison for a period of three months.
- ii. I order you to comply with my Order of 15th July, 2015, and distribute the balance of the estate to the beneficiaries within a period of sixty days from the date of this sentence. If you default, I commit you to prison for a period of three months.
- iii. I order you to pay the second and third plaintiffs costs in a sum of \$ 1000 summarily assessed within 15 days of this sentence.



A.L.B. Brito-Mutunayagam

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Judge

21st March, 2017