

IN THE HIGH COURT OF FIJI AT SUVA
CIVIL JURISDICTION

CIVIL CASE NO: HBC 279 OF 2025

IN THE MATTER of an application
of the Land Transfer Act, Section 169

BETWEEN: **SHYAM KARAN** of Lot 6 Bhikabahi Street, **PLAINTIFF**
Laucala Beach, Suva

A N D: **JOELI SOVAKI KALOU** also known as **JOELI** **DEFENDANT**
KALOU of Flat No. 3, Lot 4 Bhikabhi Street,
Suva, Occupation Unknown.

Counsel: Ms. S. Narayan for the Plaintiff

Date of Hearing: 26th November 2025

Date of Judgment: 21st January 2026

JUDGMENT

1. The Plaintiff issued this Originating Summons pursuant to Section 169 of the Land Transfer Act, seeking the following orders:
 - i. *That the Defendant gives up immediate vacant possession of the property comprised in Certificate of Title No 38108, being Lot 4 of DP No 9592,*
 - ii. *Such further and/or other orders as the Honourable Court deems just and necessary,*

iii. *The Cost of and incidental to the application be paid by the Defendant to the Plaintiff.*

2. Upon being served with the Summons, the Defendant appeared in Court, indicating that he was making arrangements to settle this matter. Notwithstanding this initial indication of willingness to settle, the Defendant failed to appear thereafter. Accordingly, the matter proceeded to the hearing in the Defendant's absence.
3. The Originating Summons is accompanied by an affidavit of the Plaintiff outlining the factual background of this application.
4. Having considered the Plaintiff's affidavit, I am satisfied that he is the registered proprietor of the land comprised in Certificate of Title No 38108, being Lot 4 of DP No 9592, and that he is the lessor of the property occupied by the Defendant as a tenant who is in arrears for rent for over one month.
5. I accordingly make the following orders.
 - i) The Defendant to give immediate vacant possession of the land comprised in Certificate of Title No. 38108, being Lot 4 of DP No. 9592, to the Plaintiff,
 - ii) The Defendant to pay the Plaintiff the summarily assessed cost of \$500.



A handwritten signature in black ink, appearing to be "R. D. R. T. Rajasinghe".

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Hon. Mr. Justice R. D. R. T. Rajasinghe

At Suva

21st January 2026

Solicitors:

Shelvin Singh Lawyers for Plaintiff.