

IN THE HIGH COURT OF KIRIBATI
(BEFORE THE HON F MUHAMMAD C.J.)

HCLA 44/90


BETWEEN: KIRIUA KAITARA Appellant
AND: BEIA KAITARA
 AND SDA CHURCH Respondent


J U D G M E N T

There have been various cases regarding this land. In case No. 212/88 South Tarawa Lands Magistrates Court allowed the exchange of 2/3 of 764-i with 2/3 of 764-e between SDA and Beia. Beia owned that land with his brother and sister and had no right to deal with it without their consent.

Magistrates made the error because there was no registration in the names of the respective parties, the registration remaining in their father's name. In the circumstances, it was quite wrong for them to permit the exchange, we set aside that decision and the exchange made under that decision.

Appeal is therefore allowed.


THE HON F MUHAMMAD
CHIEF JUSTICE
(15/01/92)


TEKAIE TENANORA
Magistrate




BETERO KAITANGARE
Magistrate