

IN THE HIGH COURT OF KIRIBATI
(BEFORE B. SUTTILL C.)

HCLA 119/1991

BETWEEN: BIIRA BENAME

Appellant

AND: IOANE BAKAIE
ROTAN AMANU

Respondents

J U D G M E N T

Mr. Lambourne, for the respondents, concedes this appeal on the basis that the appellant was attempting the commence fresh proceedings in the magistrates court and that court should have heard the case and decided the competing claims of the parties. He has explained this to the respondents.

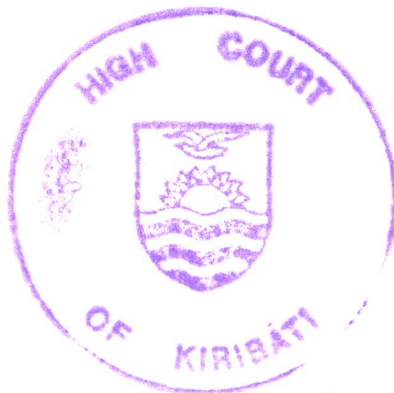
The appeal is allowed and the matter is remitted to the magistrates to continue case AK 72/91 and hear and determine the issues between the parties. If the same bench cannot be reconvened the case may begin de novo.



B. SUTTILL
Commissioner
(8/10/1996)



Tekaie Tenanora
Magistrate
(8/10/96)



Betero Kaitangare
Magistrate
(8/10/96)