

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

HCLA 110/1991

BETWEEN:	N. MINA HIGHLAND	Appellant
AND:	FREDDY RAIHA	Respondent

J U D G M E N T

The appellant leased land Terawabono 820(o) to the government.

The government were, apparently, at one time contemplating sub-leasing all or part of this land to the respondent who was carrying on the business of a store there.

The appellant objected to this and sought an injunction from the magistrates to prevent it. The magistrates considered that for one reason or another they couldn't deal with the matter. This was not quite correct. Had the lease contained a prohibition on a sub-lease without the lessor's consent this was a matter into which they would have to enquire.

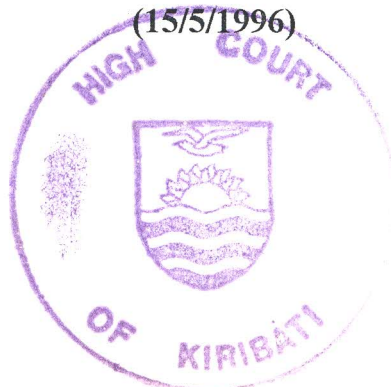
The appellant appealed their refusal to deal with the matter.

However the sub-lease to the respondent did not materialise. The land was sub-leased to another party to whom the appellant does not object.

The appeal no longer has any merit and is accordingly dismissed.


B. SUTTILL
Commissioner
(15/5/1996)


Tekaie Tenanora
Magistrate
(15/5/96)




Betero Kaitangare
Magistrate
(15/5/96)