

(Civil Jurisdiction)

Between: Loh Community
Represented by Bretin Wokmagenta and Pancy Salevag
(Complainant)

And: David Andrew
(Defendant)

Matter: Refund of Community money borrowed 45,000 vatu plus costs 1,000 vatu

Coram: Justice Keith Hopkins
Justice Phillip Morres Tabe
Justice Reuben Selwyn

Clerk: Fredington Aru

Date of hearing: 05th June 2013

JUDGMENT

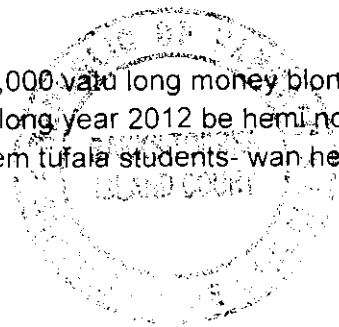
Kot ibin isitaon long Lungarighi Village long Loh blong lukluk long case ia we Loh Community hemi bin faelem agensem defendant David Andrew. Long claim blong complainant hemi talem se defendant hemi bin advance 45,000 vatu long Community Fund since 27th January 2011 mo hemi no bin refund kasem tedei. Complainant hemi stap faelem case ia long Kot mo claim blong defendant hemi mas refundem Community money we hemi bin tekem long amaon blong 45,000 Vatu.

Tugeta parties oli bin served mo oli bin appear before long Kot taem Kot isitaon blong lukluk long matter ia.

Issue blong Kot 1 lukluk long hem long matter ia hemi saposet itru se defendant David Andrew hemi bin tekem money blong Community, hamas nao bae hemi responsible blong givimback.

Long Court Complainant Bretin Wokmagenta italem se defendant itekem money ia long year 2011 mo ibin promise blong givim back long year 2012 be inevamekem. Hemi se oli nidim money ia from hemi blong Community.

Long respond defendant hemi admittim se hemi bin tekem 45,000 vatu long money blong community. Hemi se hemi promise blong refundem money ia long year 2012 be hemi no bin refundem money ia. Hemi se hemi usim money ia blong helpem tufala students- wan hemi bubu blong hem mo narawan hemi pikinini blong hem.



Follem admission blong defendant long claim blong complainant, Kot hemi askem defendant se wanem nao ol sources of income blong hem. Long responds defendant hemi talem se hemi work nomo olsem argent blong Air Vanuatu long Loh airport. Hemi talem tu se hemi gat pikinini istap long skul.

Ol findings blong Kot.

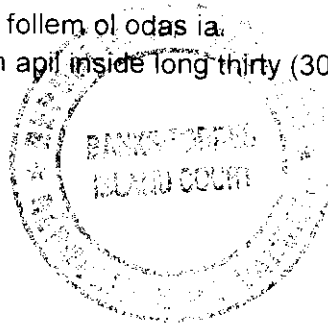
1. Defendant hemi tekem money blong Community amount 45,000 vatu blong helpem wan bubu blong hem mo wan pikinini blong hem we oli ol students.
2. Defendant hemi bin fail blong givimbak money blong Community olsem hemi bin promise.
3. Defendant hemi wan staff blong Air Vanuatu long Loh airport.
4. Defendant hemi gat pikinini istap long skul.

Follem olgeta findings blong Kot ia, Kot hemi stap odas se:

Application blong complainant hemi granted.

Kot istap odarem defendant blong:

1. Givim back 45,000 vatu blong Community we hemi bin borrowem.
2. Mekem every payment within (6) manis. Six (6) manis ia hemi kasem 05th December 2013.
3. Go long prison blong tri (3) manis sapos hemi no follem ol odas ia.
4. Any pati we ino glad long decision ia blong mekem apil inside long thirty (30) days.



DATED AT LOH THIS 05TH JUNE 2013

BY THE COURT

K. Hopkins

Justice Keith Hopkins

P. Morris Tab

Justice Phillip Morris Tab

R. Selwyn

Justice Ruben Selwyn

