

**IN THE BANKS/TORRES ISLAND COURT
OF THE REPUBLIC OF VANUATU**

**CIVIL CASE NO 04 OF 2013
Judg No: 23/2013**

(Civil Jurisdiction)

**Between: Evelyn Hopkins
(Complainant)**

**And: Anna Tari
(Defendant)**

Matter: Payment of loan in the sum of 33,800 plus Costs 1,000

**Coram: Justice Gracetella Smith
Justice George Ben
Justice Raymond Siplaq**

Clerk: Fredington Aru

Date of hearing: 14th June 2013

JUDGMENT

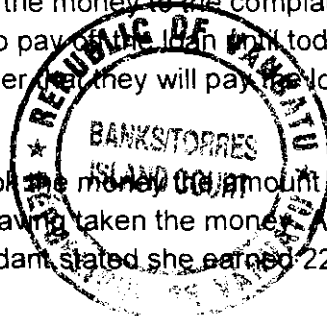
This case concerns claim for payment of an unpaid loan. The complainant on her statement of claim alleges that in November 2011 the defendant came to her house and asks if she could lend her some money from a lending scheme that she owns. The complainant stated that she gave 12,000 vatu to the defendant which she is supposed to pay back in the amount of 13,000 vatu as 1000 vatu was an interest. She said the defendant did not comply with the loan condition to repay the loan thus prompted her to file before the Court this case claiming a 10 % interests over sixteen months which accumulates her total claim in this case to 33,800 vatu.

The core issue for determination before this Court in this case is, 'did the defendant owe the complainant? If so, then how much would the defendant be responsible to pay back to the complainant with calculated with a 20 % interests?

Both parties are served with Court summons and have appeared before the Court when it sat to determine the matter.

The complainant testified before the Court that she lend the money to the complainant in good faith. But the defendant never had made attempt to pay of the loan until today. She adds on that the defendant's husband has been telling her they will pay the loan but they never did.

The Court asked the complainant whether or not she took the money amount of 12,000 vatu. Upon respond the defendant admitted liability as having taken the money. And upon request from the Court concerning her salary, the defendant stated she earned 22,000 vatu fortnightly.



COURT ORDERS:

Upon admission and liability of the defendant to the complainants claim. It is hereby adjudged that:

1. The defendant is ordered to pay the complainant the sum of 33,800 vatu plus the sum of 1,000 vatu as costs and expenses.
2. Payment to be completed within six (6) pay days as of 21st June 2013.
3. Payment per pay day is 5,800 vatu as of 21st June 2013.
4. Any party aggrieved by these orders has liberty to appeal within 30 days as of today 14th June 2013.



DATED AT SOLA THIS 14TH JUNE 2013

BY THE COURT



Justice George Ben



Justice Gracete



Justice Raymond Siplaq