

(Civil Jurisdiction)

Between: Kamuel Quealav

Complainant

And: Paul Lazarus

Defendant

Matter: Payment of store debt 28,456 plus costs 1,000 vatu

Coram: Justice Badley George
Justice David Lug
Justice Phillip Morres Tabe

Clerk: Fredington Aru

JUDGMENT

This Court sat at Selmolo airport, Gaua to determine the case filed by the claimant against the defendant. On his claim the complainant stated the defendant had been taking goods from his shop at Lemmanman area on credit which is totalled to 28,456 vatu. He had failed to settle his debt so the complainant filed this application before this Court seeking orders that the defendant must pay off his debt in his shop.

The defendant testified in Court that he is guilty over the statement of claim filed against him. He apologised for prolonging payment and stated he accepts any decision the court would give. He said he had no bullock neither kava nor copra as he was adopted by a lady and his biological sons has taken over their entire mother's plantation from him.

He stated he will sell fish to earn some money to pay off his pending debt with the complainant.

The Court noted the following as its findings in this case:

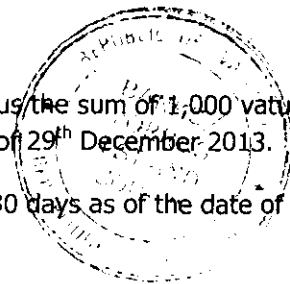
1. The defendant admitted liability on the claimant's claims and apologise.
2. He applies for four (4) months to pay off his debt.
3. He had no bullocks, kava nor plantation to produce copra.
4. He will sell fish to pay off his debt.

Upon the admission of liability from the defendant and hearing him together with the above findings before this Court.

It is hereby adjudged that:


The defendant is ordered to pay the claimant the sum of 19,785 vatu plus the sum of 1,000 vatu as costs and expenses. This is supposed to be paid within three months as of 29th December 2013.

Any party who is aggrieved by these orders has liberty to appeal within 30 days as of the date of these orders.



DATED AT GAUA AIRPORT THIS 29TH AUGUST 2013

BY THE COURT


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Justice Badley George


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Justice David Ligi


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Justice Phillip Morris Tabe

