

IN THE MALEKULA ISLAND COURT

OF THE REPUBLIC OF VANUATU

Debt Case 4 of 2014

BETWEEN: SITON MULONTURALA

VAO vilij, Northeast Malekula

Claimant

AND: FREDERICK KAI

VAO vilij

Northeast Malekula

Defendant

CORAM: JUSTICE DOUGLAS FADAL

JUSTICE SHEMA TASVALLIE

JUSTICE JOHNSEN FRAZER

CLERK: COLLYNE TETE

DATE OF HEARING: 03 OCTOBER 2014

COURT VENUE: LAKATORO

JUDGMENT

CLAIMANT- Appears before the court

DEFENDANT – Appeared before the court

The clerk presents the civil case and summarises through the claimants' application made before the court by the claimant claiming against the defendant an amount of VT 9000 from his Kava bar for the last one year in which was never paid. He mentioned in court that he made every attempt to let the defendant know of the money he owed in terms of putting up a notice in front of his kava bar, sending Chiefs to talk to him but he never sorted it out.



The defendant responded and agreed of the claim made against him only of the amount of VT 1800, but did not agree on the 25% interest rate made by the claimant. He stated in court that he did not sign any agreement with the claimant and wanted the claimant to show in court his business license. And also he stated that he did not pay because the claimant told him not to pay but to make a chore for him instead.

Upon hearing the application the court hereby made the following:


FINDINGS

The court mentioned to the defendant that the agreement is still the same as when he asked the claimant if he could have some Kava Juice on credit which the claimant agreed. And also upon his agreement with the claimant to work for him even if the claimant did not approach him to remind him to work he should have made every attempt to approach the claimant and ask him what to do.

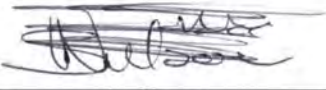
COURT ORDER

1. The defendant to pay an amount of VT 6000. The interest rate was deducted by the court from 25% to 2%. 1000VT for court fee, Vt1800 for kava Juice and the rest is the interest. The payment is to be made beginning end of November 2014 a total of VT 3,000 and the last payment to be made by December an amount of VT 3,000 for completion of debts owed.
2. If both parties are not happy with the Island court decision has within 30 days the right to appeal to the Magistrate Court which in accordance to the Island Courts ACT CAP 167 section 22.


DATED THE 03 OCTOBER 2014



Justice Douglas Fadal



Justice Shema Tasvallie



Justice Johnsen Frazer

