

IN THE MALEKULA ISLAND COURT
OF THE REPUBLIC OF VANUATU

Civil case 3 of 2015

BETWEEN: SOVRINMAL SYLVAIN of Wala vilij, Northeast
Malekula

AND: NICOMA LIATLATMAL Employed at the Orap School, North
East Malekula

Coram: Justice Douglas Fadal

Justice Lorna Bong

Justice Shema Tasvallie

Clerk: Collyne Tete

Court Venue: Lakatoro, Court House

Date of Judgment: 04 March 2015

JUDGMENT

Claimant- Present

Defendant – Present

Claimant emi presentem kes bifo long kot mo talem se kes bifo long kot claimant emi stap claimem damage we defendant I mekem long ol property blong em. Emi talem long kot se ol damage we defendant I bin mekem long Karen blong em emi stap mekem fulap taem finis kasem we emi taet nao I kam mekem ripot long Aelan kot. Ol damage we emi stap claimem emi blong ol aealan kaikai long Karen blong woman blong em mo tu long ol kokonas mo cocoa blong em. We evriwan emi total ap long wan amount blong 43.737 vatu.

Defendant emi response mo talem long kot se emi agri long kleim mo damage we emi mekem be emi mekem follem sam risen. Risen why emi mekem damage long ol property blong claimant emi from claimant emi no plant long eria blong Potvalim emi plant long eria we ol ancestors blong em I stap plant long em bifo we emi aotsaed long Potvalim. Emi bin sendem ol Jif tri (3) taem blong oli ko talem long em blong I stop blong wok mo lukim ol trespass we claimer I mekem be yet emi no stop blong still pant ova long mark mo tu oli even bin ko raon table long polis station blong stoppem claimant blong no mo damage be still emi continue mekem mi taet nao mi ko mekem ol damage. Emi talem tu long kot se claimer I no bin plant bifo we Land kes blong Potvalim I ko long Aelan kot emi plant afta we decision I kam maot, we I no stret from we I gat apil I stap long Supreme kot blong talem maot stret ona blong Land bifo emi save plant. Emi continue tu blong talem se issue we I stap I no blong Land be blong trespass emi askem long kot se sapos kot ***I grantem claim blong claimer I minim se oli save ko plant long eni ples we oli wandem ko plant long em?*** Lastly long response blong defendant emi talem se emi no save pem damage from we damage I no tek ples long Land blong Potvalim.



FINDINGS

Wetem toktok we I kam maot long tugeta parties ol findings blong kot I ko olsem:

Defendant: Land we claimant I wok long em mo we I gat damage long property emi land we I undisputed. I min se land ya I stap aotsaed long boundary blong Potvalim we I pending I stap long Supreme kot. Defendant emi mekem evri effort blong sendem Jif blong ko talem long claimant blong I stop blong wok ova be emi no respectem ol Jif blong continue blong wok mot u emi admittem se emi damagem ol property blong claimant

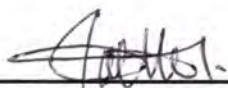
Claimant: Kot I receivem assessment we Jif I mekem consenem ol damage we defendant I mekem claim from be kot I no receivem wan assessment we wan long ol Agriculture ofisa I mekem.

Wetem ol findings ia kot I mekem ol oda or decision olsem:

ORDERS

1. Defendant blong emi pem wan amount blong 21.860 VT blong ko towards ol damage and 1.000 VT blong kot fee we I mekem wan total amount blong 22.860 VT.
2. Defendant bae first payment bae yu mekem long 04.04.15 amount blong 11.430 VT and second payment emi long 04.05.15 nara amount blong 10.430 VT. Tugeta payment ia bae yu mekem long ofis blong Aealan kot long Lakatoro, Malekula.
3. Claimant yu no save wok aotsaed long ples we yu stap wok long em naoia kasem taem Supreme kot bae I mekem wan decision long pending Land case we I stap bifo long kot.
4. Sapos tufala parties I no agri long decision ia oli gat raet blong apil bifo 30 dei I ko long Magistrate Court.

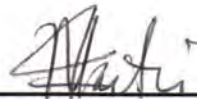
DATED 04 MARCH 2014 AT LAKATORO



Justice Douglas Fadal



Justice Shema Tasvallie



Justice Lorna Bong

