

IN THE MALEKULA ISLAND COURT
OF THE REPUBLIC OF VANUATU

Debt case 02 of 2014

BETWEEN: SITON MULONTURALA
Of VAO vilij, Northeast Malekula

AND: ADOLPH TEILEMB
Of VAO vilij, Northeast Malekula

Coram: Justice Douglas Fadal
Justice Kalman Hapsai
Justice John Wesly Tawi

Clerk: Collyne Maki

Court Venue: Lakatoro, Court House

Date of Judgment: Wednesday 23 September 2015

Claimant: Absent
Defendant: Absent



JUDGMENT

An application was filed by the claimant on the 04th of July 2014 seeking for the defendant to pay VT 7.200 amount owed by defendant of consuming Kava juice and fail to pay for it for the last 2 and half years.

The case was first listed to be heard in court on the 01st of October 2014 in which both parties were present before the court. The claimant stated that the amount the defendant owed was an amount of VT 900 which he failed to pay for which made the claimant add up a few interest which totals up to VT 7.200.

The case was first listed on the 04th of March 2015 in which the claimant appears before the court and the defendant failed to appear before the court. Both parties were then summoned to appear before the court in which they both failed to appear today.

FINDINGS

The court findings were:

- The case was listed before the court twice. The first date of hearing was on the 1st of October 2014, the second date of hearing was on the 04th of March in which the Claimant was present and the defendant was absent. For the last hearing both parties after being summoned both were not present in court.
- In accordance to the Island Court Civil Procedure Rules: Section **17 (pt1)** stated "**NON ATTENDANCE OF BOTH PARTIES**" – Where a cause or matter has been called for hearing and neither party appears, the court may strike out the proceedings.

UPON THE FINDINGS THE COURT DECLARES THE FOLLOWING ORDERS:

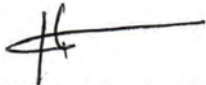
ORDERS

1. The Debt case 02 of 2014 is hereby dismissed
2. If either parties do not agree with the Judgment within 30 days upon receiving Judgment have the right to appeal to the Magistrate Court has stated in the Island Court Act CAP 167 section 22 Subsection (1) stated " *Any person aggrieved by an order or decision of an Island Court may within 30 days from the date of such order or decision appeal there from to (b) the competent Magistrates court in all other matters*"



Dated at Lakatoro this 23 September, 2015

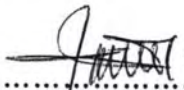
BY THE COURT



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Justice Kalman Hapsai



.....
Justice John Wesly Tawi



.....
Justice Douglas Fadal

