

**IN THE ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

**Civil
Case No. 12/19 IC/CIVL**

BETWEEN: RUEBEN MASIAL
Of Unua 1 village, South East Malekula
Claimant

AND: JOHN KAREN SAMRE
Of Unua 1 village, South East Malekula
Defendant

Date of Hearing: 17 August 2016
Before Justices: Douglas Fadal, Robert Niptick, Kalman Hapsai
In Attendance: Claimant in Person, Defendant in Person

JUDGMENT

Kleima emi stap mekem mo filem wan kleim I kam long kot long namba 02 August 2016 mo claim ova long wan coconas mo cocoa property long eria blong Kemermar eria. Emi ststem se papa blong em moo I families blong em nao oli plannem coconas ia. Emi wandem kot blong I stopem defendant blong heapim up coconas long eria ia, mo blong stop mekem Karen long eria ia, mo restrain blong threatenem ol families blong em. Emi talem long kot se ol pupu blong em we oli plannem coconas emi Vagas, Bankil, Ririor mo Rembuggie. Ol witnesses blong em Mr Allan Basil mo Mr Ian Basil oli talem long kot se apu blong claimer nao I plannem ol coconas long eria blong Kemermar.



Defendant Mr John Karen Same emi respond mo talem long kot se yes emi wok long coconas mo cocoa be emi wok nomo follem raet we Chile I gem long em. Witness blong defendant Mr Child Johnny emi talem long kot se cocoa mo coconas emi blong em and em nao I gem raet long John Karen blong wok long eria ia moo I coconas ia Jerry Bong, Sangal mo Kerish nao oli plannem. Secon witness Mr Kerry Bongbong emi talem long kot se papa blong em Jerry Bong nao I plannem coconas ia. Namba tri witness mr Endy Shem emi talem long kot se coconas emi blong Johnny Chile.

COURT FINDINGS

After we kot I harem toktok blong ol parties kot I faenemaot se:

1. Ol coconas long eria blong Kemermar I gat 2 or 3 olfala nao oli plannem.
2. Defendant emi usum coconas long eria follem nomo toktok blong family Johnny we oli gem raet blong emi usuem.
3. Line coconas long eria blong Kemermar I gat dispute long em.

ORDERS

1. Bae Civil case ia I dismissed long Aelan Kot.
2. Bae Civil case I registered mo filed long Unua Village or Eria Coucil of Jifs blong lukluk long matter ia bifo 17 October 2016.
3. Land issue tugeta partie I gat raet blong filem kes long Land management ofis long Lakatoro, Malekula.
4. Sapos ol Jifs oli fail blong comply wetem kot oda 2, claimer I gat raet blong filem kes long ENFORCEMENT BIFO LONG Senior Magistrate long Aelan Kot we Fee emi VT 1,000
5. Tugeta parties I gat raet blong apil agensem decision sapos tufala no hapi long decision follem Aelan kot ACT CAP 167 section 22 I ko long Magistrate Court we Fee emi VT 10,000.

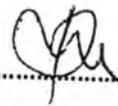


Dated at Lakatoro this 17th day of August 2016

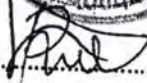
BY THE COURT



Justice Robert Niptick



Justice Kalman Hapsai



Justice Douglas Fadal

