

**IN THE MALEKULA ISLAND COURT**  
**OF THE REPUBLIC OF VANUATU**

Civil case 18 of 2015

**BETWEEN: RODNEY MALMETESON & 4 ORS**

Joint council of Chiefs Rano/Binalum  
Northeast Malekula

**AND: SEMA BUKTAN & 8 ORS**

Of Binalum village, northeast Malekula

Coram: Justice Douglas Fadal  
Justice Johnsen Frazer  
Justice John Wesly Tawi

Clerk: Collyne Maki

Court Venue: Lakatoro, Court House

Date of Judgment: Thursday 25 February 2016

Claimant: Present

Defendant: Present

**JUDGMENT**

An application was filed by the claimants as Rano/Binalum council of chiefs seeking before the court to punish the defendants due to being dis respectful to the village council of Rano/ Binalum.

The defendant responds to the claim and stated that the village council have no right at endorsing a village court decision without the actual facts to be heard in a court. He further stated that the village council have summoned him twice to appear before the court in which he was present and yet the councils have failed in appearing and arranging the court so his opinions to be heard before the court were not made and yet the decisions and Judgments were made.

**FINDINGS**



The joint council of chiefs for Rano/Binalum has not completed its proceedings within the village court level in order to endorse a decision in which a court hearing has not taken place.

**UPON THE FINDINGS THE COURT DECLARES THE FOLLOWING ORDERS:**

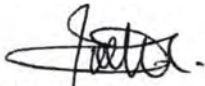
**ORDERS**

1. The Civil case 18 of 2015 is hereby dismissed before the Malekula Island Court
2. The issue between Family Buktan to be dealt within their nasara
3. 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 25 February 2016

BY THE COURT



.....  
Justice Douglas Fadal



.....  
Justice John Wesly Tawi



.....  
Justice Johnsen Frazer

