

**BETWEEN:** Clovis Meltemal  
Claimant

**AND:** Jean Gilbert Saraul  
Defendant

**Date of HEARING:** 15th day of October, 2019 at 8:00 AM  
**Before:** Justice Douglas FADAL, Justice Joses LINGI, Justice Presilla JOHNETY  
**In Attendance:** Claimant – Clovis Meltemal Defendant – Jean Gilbert Saraul  
**Clerk of the Court:** Collyne Tete MAKI

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**JUDGMENT**

Kes ia emi registered bifo long Malekula aelan kot follem **Island Courts ACT CAP 167 section 10. Application of customary law: Subject to the provisions of this Act an island court shall administer the customary law prevailing within the territorial jurisdiction of the court so far as the same is not in conflict with any written law and is not contrary to justice, morality and good order mo tu;**

**Guided by the Island Courts (Civil Procedure) No 28 of 2005 Rule 1 subsection 1 to 7 stated" Starting of a civil claim"**

Issue we I stap bifo long kot emi:

1. *Why nao or wanem nao I mekem Jean Gilbert Saraul I swear long Clovis Meltemal?*

Kes emi filed by Mr Clovis Meltemal blong VAO vilij Northeast blong Malekula long namba 15 May 2018 mo kleim se defendant emi swea long em wetem mama mo papa blong em we emi feelim long em I disrespectful from emi wan jif mekem emi kleim blong defendan I pem VT 50,000 I ko long em we I spollem reputation blong em long komuniti blong em follem responsibility olsem wan jif long komuniti blong em.

Defendan we emi Mr Jean Gilbert Saraul we emi blong VAO vilij Northeast Malekula emi filem response blong em mo talem long kot se kleimen I kam long yard blong em wetem wan rabis approach we I singaot long defendan blong emi aot long graon



blong em and I talem long em se whu ia mama mo papa blong em . Emi statem tu se kleima Meltemal Clovis emi no gat raet blong tok about ol issues blong Nakamal mo nasara blong em emi gat jif blong em we I stap blong dealim ol issues blong em.

### **KOT FINDINGS**

*Afta we kot I harem toktok blong olgeta parties' mo ol witness blong olgeta kot I mekem ol findings olsem:*

1. Kleima Clovis Meltemal emi ko long yard blong defendan blong sortem maot issue bitwin em mo Ulnaim
2. Defendan Jean Gilbert Saraul emi singaot strong long kleimen taem we kleimen I kam long yard blong em
3. Tugeta parties' defendan mo kleimen tugeta I singsing aot strong long tufala.
4. Kleimen emi no should shout strong long defendan sapos we defendan emi singaot strong long em emi should ko luk wan nara jif blong sortem maot issue blong defendant mo Ulnaim

### **KOT ODA**

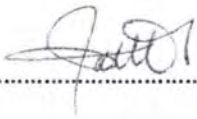
*Afta we kot I mekem ol findings ia kot I mekem oda olsem:*

1. Jean Gibert Saraul bae yu pem wan fine blong VT 5,000 I ko long kleimen.
2. Kleimen Clovis Meltemal bae yu pem wan fine blong VT 2,000 I ko long defendan.
3. Bae oda 1 mo oda 2 I mas be done bifo Friday 18 October 2019.
4. Vilij counsel long VAO bae emi witnessem sorry blong tufala parties.
5. Tugeta parties I gat 30 dei blong apil sapos oli no happy wetem oda blong kot.



**Dated at Lakatoro this 15 day of October 2019**

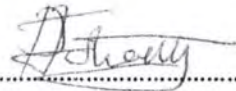
**BY THE COURT**



**Justice Douglas Fadal**



**Justice Joses Lingi**



**Justice Prescilla Johnety**

