

BETWEEN: Elsie Taga
Lisa Iman
Claimant

AND: Alsen Jepeth
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 – Elsie Taga, Lisa Iman Defendant – Alsen Jepeth
Clerk of the Court: Collyne Tete MAKI

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. I tru se defendan I mekem wan kiaman toktok se mama blong Elsie I ded nao mekem se tufala I nomo salem ol kaikai we tufala I harvestem blong salem long market?



Kes emi filed long ofis blong Malekula Aelan kot long namba 3 September 2018 we tufala kleima I blong Laravath vilij West Blong Malekula aelan. Tufala I kleim se defendan emi bin kam passem toktok long tufala blong talem se mama blong Elsie I ded mekem tufala I charterem wan trak blong karem kaikai I ko bak long haos blong tufala long kona point mo charterem wan mo trak I ko kasem Larvath vilij mo faenem maot se mama blong Elise I no ded. I mekem long dei ia tufala I mekem wan wasted cost mo kleim wan amount blong VT 10,600 we emi blong Elsie mo Lisa emi kleim wan amount blong VT 10,200. Overall total kleim emi wan amount blong VT 20,800.

Defendan we emi Alsen Jepetth emi blong Laravath village West blong Malekula aelan emi respon mo talem se emi bin ko passem mesej follem normal practise fasin long ol komuniti we taem I gat wan ded bae nius still ko raon blong ol man I harem mekem emi harem nao emi ko passem mesej long tufala kleima.

KOT FINDINGS

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

1. I no gat any witness blong confemem se whu ia stret nao I talem se mama blong Elsie Taga I ded toktok blong ded emi follem ol pikinnini nomo we oli talem mo stap paspasem we I kasem whole komiti blong harem,
2. Nius ia emi even kam maot follem condition blong olfala woman we I olfala tumas mo stap siksik mekem taem emi fold daon ol man oli tekem se emi ded,
3. Defendan oli no plan mo minim blong paspasem toktok ia, Ms Edna we emi kam blong witnessem ol toktok ia emi talem long kot se emi bin mekem apology finis insaed long church I ko long papa blong Elsie mo ol brata blong Elsie follem toktok we I stap pas olbaot be bae tufala kleima tufala I no save from tufala I no liv long komuniti, mo
4. Defendan emi bin approachem tufala kleima blong oli talem sorry mo sortem maot be tufala I no agri long tingting ia.

KOT ODA

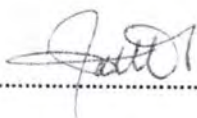
Afta we kot I mekem ol findings ia kot I mekem oda olsem:

1. Elsie Taga mo Lisa Iman bae yufala I reconcile wetem defendan mo defendan tu bae I talem sorry long yutufala mo Edna tu
2. Reconciliation ceremony I mas tekem ples tudei logn affenun long 15 October 2019,
3. Tugeta parties I gat 30 dei blong apil sapos oli no happy wetem oda blong kot.

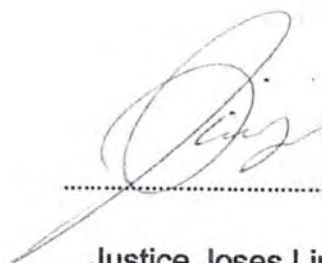


Dated at Lakatoro this 15 day of October 2019

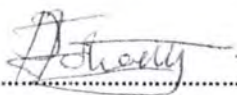
BY THE COURT



Justice Douglas Fadal



Justice Joses Lingi



Justice Prescilla Johnety

