

**IN THE MALEKULA ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Other Jurisdiction)

Civil case 1776 of 2020

BETWEEN: CHARLIE ALICK

Claimant

AND: ROGERS RANGANVANU

Defendants

Date of Hearing: 28 May 2020

Date of Judgment: 28 May 2020

Before Justices: Douglas FADAL (Chairperson), Joses LINGI, Lorna BONGVIVI

Clerk: Collyne Tete Maki

In Attendance: Claimant – Absent

Defendant – Absent

DEFAULT 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 BIFO LONG KOT:

1. *Hao nao defendan emi tekem money long claiman?*
2. *Why nao emi tekem mani ia we amount blong em emi VT 40,000 mo no givim bak?*

BACKGROUND BLONG CASE

Mr Charlie Alick blong Lawa vilij long Southwest Malekula emi filem kes I kam long kot agensem defendan we emi Mr Rogers Ranganvanu we emi blong Atchin vilij, Northeast Malekula.

CLAIM BLONG CLAIMAN

Claiman emi filem kes long namba 13 dei blong manis May 2019 we I ko agensem defendan from we samtaem long manis April 2019 emi bin travel wetem wan bag blong 50kg kava I kam long Lakatoro blong salem we emi normal program blong em olsem wan boat man blong evri Mandei blong travel I kam long Lakatoro wetem kava blong ol farmer blong salem ale travel I ko bak wetem mani blong ol farmer ia.

RESPONSE BLONG DEFENDAN

Defendan emi bin tekem 50kg kava ia mo mekem juice long em an neva pem bak kasem we defendan emi kam filem kes long aelan kot.

Afta we kot I harem toktok blong claimant mo lukluk tru long ol response blong defendan kot I mekem ol findings olsem:-

COURT FINDINGS

1. Tugeta parties I no present afta we kot I summon tufala 2 taem blong kam pass long kot
2. Secon taem we kot I ko blong summon defendan emi nao ko long RSE long New Zealand

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

COURT ODA

1. Civil case 1107 blong 2019 kot I dismissem.
2. Sapos any long ol parties I no agri long ol oda ia oli gat 30 dei blong apeil I ko long Magistrate kot

DATED 28 MAY 2020 AT LAKATORO, MALEKULA

BY THE COURT

JUSTICE LORNA BONGVIVI



JUSTICE JOSES LINGI



JUSTICE DOUGLAS FADAL (chairperson)


