

**IN THE BANKS/TORRES ISLAND COURT CIVIL CASE NO 2625 OF 2020
OF THE REPUBLIC OF VANUATU**

.....
(Civil Jurisdiction)

BETWEEN: DOUGLAS LOLOWIA
Kerebeta, Vanua Lava
Plaintiff

AND: BARASH OKAO
Kerebeta, Vanua Lava
Defendant

CORAM: *Justice Raymond Siplaq*
 Justice Abel Patterson
 Justice Keith Hopkins

DOH: *29th September 2020*
DOJ: *29th September 2020*

CASE: **APPLICATION FOR DEBT SETTLEMENT**

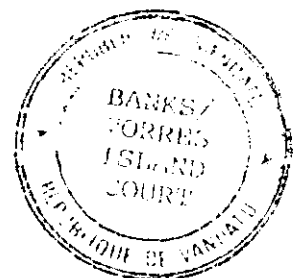
JUDGEMENT

Issues:

- Whether or not there is an agreement between the claimant and defendant?
- Whether or not there is breach of the agreement by the defendant?

Introduction

1. This is an Application for the settlement of debt brought before this court by the claimant, Douglas Lolowia against the defendant, Barash Okao.



2. The Claimant claims that on March 2019, an agreement was made between the claimant and the defendant, following demands from the defendant for the claimant to sew 120 thatch [natangura].
3. Both agreed that these thatch will be valued 100 VT each.
4. The claimant managed to complete the 120 natangura as agreed, and delivered to the defendant. All thatches worth 12,000 VT.
5. However since then, no payment was ever done by the defendant to the claimant.
6. Several attempts were made for the defendant to settle the debt, with no success, therefore the claimant pursues the matter before this Court to order the defendant to settle the outstanding debt.

Application

7. The claimant claims an amount of 12,000 VT as the outstanding Debt plus 8,000 VT claim for breach of agreement plus 750 VT as the Court fee. Total claim is 20,750 VT.

Appearance

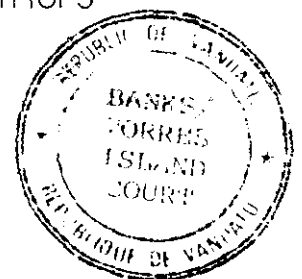
8. Both parties are present in court.

Court Findings

9. The Court finds out that:
10. The defendant's admits the truth of the statement.
11. Therefore the court enters judgment for the claimant, pursuant to Rule 6 [5] of the Island Courts – [Civil Procedure] Rules.
12. As follows:

COURT ORDER

13. The defendant Barash Okao to settle the outstanding debt of 20,000 VT plus 750 VT as cost, to the claimant.
14. Payments should be completed within 5 months, that is before 29th February 2021. [Instalment payments of 4,150 VT per month for 5 months]



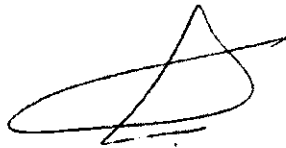
15. Payments must be made directly to the Court Clerk at the Sola Court House or to the claimant and produce receipt to the clerk for record purpose.
16. Liberty is given to both parties to appeal within 30 days if they are not satisfied with this decision.

Dated at SOLA, this 29th September 2020


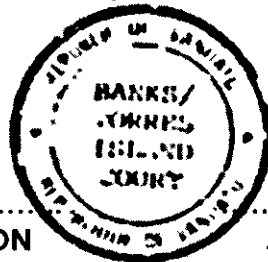
BY THE COURT



Justice Raymond SIPLAQ



Justice Abel PATTERSON



Justice Keith HOPKINS