

IN THE BANKS/TORRES ISLAND COURT
OF THE REPUBLIC OF VANUATU

Debt
Case No. 20/3143 IC/DEBT

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(Civil Jurisdiction)

BETWEEN: EVELYN HOPKINS

Applicant

AND: BANELAG JOHN

Defendant

CORAM: Justice Raymond SIPLAQ
Justice Abel PATTERSON
Justice Gracetella SMITH

DOH: 24th November 2020
DOJ: 24th November 2020

CASE: APPLICATION FOR DEBT SETTLEMENT

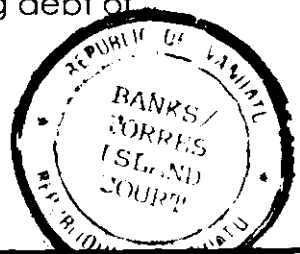
DEFAULT JUDGEMENT

Issue;

- o Whether or not the Defendant has an outstanding debt with the Claimant?

Introduction

1. This is an Application for the settlement of outstanding debt [Loan] brought before this court by the claimant, Evelyn Hopkins, against the defendant, Mr. Banelag.
2. The claimant claims that the defendants has an outstanding debt of 10,000 Vatu + 6,000 interest.



3. The money was lend to the defendants on the 2nd of December 2017.
4. 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

5. The claimant claims an amount of 10,000 VT as the outstanding Debt plus 6,000 Vatu interest plus 750 Vatu as the Court fee.

Appearance

6. The defendant is not present in court.

Court Findings

The Court finds out that:

7. The defendant is not present in court, despite being served with a summons to attend court, pursuant to Rule 2 [9] of the Island Courts – [Civil Procedure] Rules.
8. With the non-appearance of the defendant, the court determined the claim in his absence and gave Judgment in favor of the claimant, pursuant to Rule 4[2] of the Island Courts – [Civil Procedure] Rules, [Non- Appearance of Defendant] states:
*"If a defendant does not appear at the time for the hearing of the claim, the court shall, provided it is satisfied that the statement of claim has been served on the defendant and that there is no good reason for the defendants non-attendance:
(d) Determined in the absence of the defendant the claim of the claimant"*
9. After considering the Claimants Claim, the court made the following Orders:

COURT ORDER

10. Defendant Banelag John, you are ordered to settle the outstanding debt of 16,750 VT, to the claimant.
11. Payments should be completed within 2 months, which is before 24th January 2021.



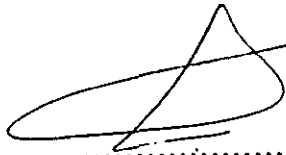
12. Payments must be made directly to the Court Clerk at the Sola Court House or to the claimant and produce receipt to the clerk for record purpose.
13. Liberty is given to both parties to appeal within 30 days if they are not satisfied with this decision.

Dated at Nerenigman- MOTA LAVA, this 24th November 2020

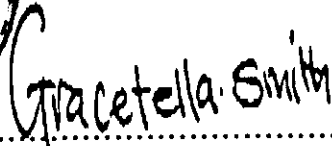
BY THE COURT



Justice Raymond SIPLAQ



Justice Abel PATTERSON



Justice Gracetella SMITH