

**IN THE ISLAND COURT (LAND) OF
THE REPUBLIC OF VANUATU –
Lakatoro, Malekula
(Custom Land Jurisdiction)**

Case No. 24/1467 IC/CUST

IN THE MATTER OF: Section 45 of the Custom Land Management Act No. 33 of 2013 (As Amended)

AND IN THE MATTER OF: Potoa Carriere Customary Land, North East Malekula, Vanuatu

AND IN THE MATTER OF: A Decision of Rano Tvalun Joint Council of Chiefs Nakamal, dated 22nd February, 2019

BETWEEN: Meltanor Tribe & Family

Bourmetenmal

Represented by Gabriel Taissets

Wala Island

North East Malekula

Applicant

AND: Rano Tvalun Joint Council of Chiefs

Nakamal

Rano mainland

North East Malekula

First Respondent

AND: Josephine Malep

North East Malekula

Second Respondent

AND: Jean Noel Mtahin

North East Malekula

Third Respondent

AND: Family Maltelour

North East Malekula

Fourth Respondent

AND: Family Mutoserlowo

North East Malekula

Fifth Respondent

Coram:

Ms B. Kanas Joshua, Chairlady

Justice Douglas Fatdal

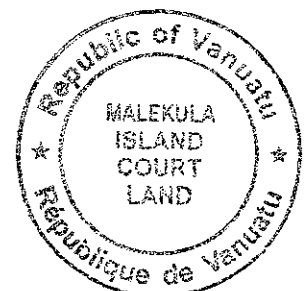
Justice Patisson Peter

Justice Joses Lingi

Justice Presila Susurup

Counsels:

Mr P. Fiuka, for the Applicant



Mr S. Aron, for the 1st Respondent
 No representation for 2nd, 3rd, 4th, 5th Respondents

MINUTE & ORDER

Minute

1. Mr Fiuka appeared for the Applicant in court room 3 at Dumbea Hall, in Vila. The Applicant was present in Lakatoro Court House.
2. Mr Aron appeared in court.
3. There was no appearance by respondents 2, 3, 4 and 5.
4. The Applicant informed the court that all the respondents were served personally. The Applicant had approached the second respondent at her house but she refused to take the documents. This was reported to the Registrar.
5. Mr Aron informed the court that he has not received any documents from the Applicant.
6. Contained in the court file are the following Applications and Responses (with supporting sworn statements):

Applicant	<ul style="list-style-type: none"> - Application for Enlargement of time to file - Application for Review of existing decision of Nakamal - Application for Review of existing decision of Nakamal
First Respondent	No response filed
Second, Third, Fourth, Fifth Respondents	No response filed

7. The Court informed the parties present that a refusal to accept service of documents amounts to service. The Applicant must have evidence of this.
8. In addition, the Court stated that the matter will be adjourned to allow time for the respondents to change their perspective and file a response to the Applications filed by the applicant.
9. The Registrar of the ICL must inform the respondents of the direction that the Court will take if they do not file a response and continue to send Notices of the Court to them.


Direction Order

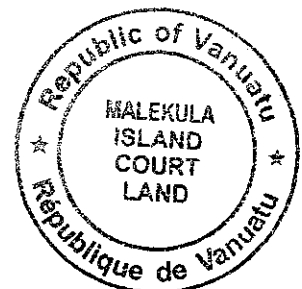
THE COURT makes the following directions:

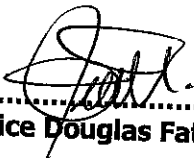
- a) That the Applicant must serve the first respondent with their application and supporting sworn statements.
- b) That the Registrar must serve the second, third, fourth and fifth respondents with Notices of the Court and inform them of the consequences of their refusal to accept service of documents and responding to the Applications filed.
- c) That the Registrar must also assist the respondents with a list of legal representatives.
- d) That the matter is adjourned to **the next session** of ICL on Malekula. Parties will be notified accordingly.


Dated in Lakatoro, on this 30th day of May, 2024

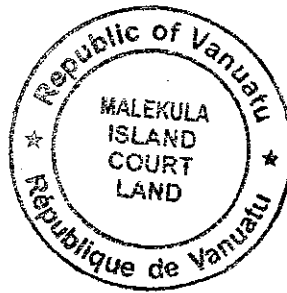
BY THE COURT


 B. Kanas Joshua (SM)
 CHAIRLADY

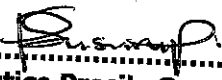



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Justice Douglas Fatdal


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Justice Joses Lingi




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Justice Patisson Peter


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Justice Presila Susurup