

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

Case No. 23/3459 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: Undualo Pakal Ainirap Customary Land, North West Malekula, Vanuatu

AND IN THE MATTER OF: A DECISION OF UNDUALO NAKAMAL, dated 13th December, 2018

BETWEEN: Jack Tamai
Pry village
North West Malekula
Vanuatu

Applicant

AND: Undualo Nakamal
North West Malekula
Vanuatu

First Respondent

AND: Family Waltersai Haphapat II
Ahelmhalahlah
Represented by Waltersai Haphapat II
Ahelmhalahlah
North West Malekula
Vanuatu

Second Respondent

Coram:

*Ms B. Kanas Joshua, Chairlady
Justice Douglas Fatdal
Justice Patisson Peter
Justice Joses Lingi
Justice Presila Susurup*

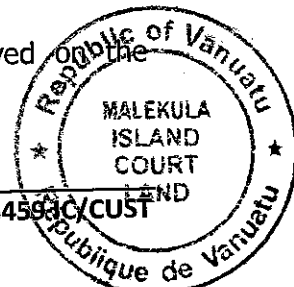
Counsels:

*Mr P. Fiuka, for the Applicant
Mr S. Aron, for the 1st Respondent
Mr W. Haphapat II Ahelmhalahlah (self-represented), for 2nd Respondent*

MINUTE & ORDER

Minute

1. Mr Fiuka appeared in Court Room 3 at Dumbea Hall in Vila, and Mr Aron and Mr Ahelmhalahlah appeared in the Lakatoro Court. Conference was held via video conference.
2. Mr Fiuka has filed an Application for enlargement of time and served the respondents. Both respondents confirmed service of the application.



3. Mr Aron has not filed a response to the application for enlargement of time. He requested until 04/6/24 to be able to file his response and serve on the parties.
4. Mr Ahelmhalahlah has filed a response with a supporting sworn statement. He informed the court that he will be filing another sworn statement on 31/5/24.
5. Contained in the court file are the following Applications and Responses (with supporting sworn statements):

| | |
|-------------------|---|
| Applicant | - Application for Enlargement of Time to file Application for Review of existing decision of Nakamal |
| First Respondent | No response filed |
| Second Respondent | - Response to Applicant's Application for Enlargement of Time to File Application for Review of existing decision of Nakamal (15//12/23) - Notice of intention to adduce further evidences on hearing as Waltersai Haphapat II Ahelmhalahlah's Additional Sworn Statement in support of the Second Respondent's Response to the Application for Review of existing decision of Nakamal |

6. There is no Application of Review by the Applicant in the court file.

Direction Order

THE COURT makes the following directions:

- a) That the Applicant must file an Application of Review before the Court hears the Application for Enlargement of time.
- b) That the Application for Review must be served on the parties.
- c) The matter is adjourned to **3rd June, 2024**, at **2:00pm** for hearing of the Application to Enlarge Time.

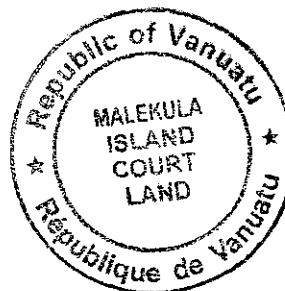
Dated in Lakatoro, on this 30th day of May, 2024

BY THE COURT

**B. Kanas Joshua (SM)
CHAIRLADY**

Justice Douglas Fatdal

Justice Joses Lingi



Justice Patisson Peter

Justice Presila Susurup