CIVIL CASE NO. 107 OF 1994

IN THE SUPREME COURT OF THE REPUBLIC OF VANUATU

(CIVIL JURISDICTION)

BETWEEN:

REMY FROUIN, FESTA ERIC, ANTOINE BOUDIER, MARC PARIS, RENAULD KROUIN, MARK LISTER AND JIM VENTRESS all of Port Vila, Efate, Vanuatu

- Plaintiffs

AND:

REVEREND DAVID LOVIS, President of HOLINESS FELLOWSHIP, PO Box 16, Port Vila, Efate, acting for and as representative of the HOLINESS FELLOWSHIP

- First Defendant

AND:

GUDFALA ENTERPRISES LIMITED a Vanuatu local company duly incorporated and having its registered office at care of PO Box 16, Port Vila, Efate, Vanuatu.

JUDGMENT

Upon hearing Mr Hakwa of counsel for the Plaintiffs, no appearance having been entered by the Defendants, but Mr Lovis the first named defendant being in attendance, and upon reading the Affidavits of Renauld Frouin, Antoine Boudier, and Jim Ventress, all sworn on the 1st of August 1994 and the Affidavit of Mark Lister Sworn the 4th August 1994 and upon further noting that Interlocutory Judgment in Default of Appearance was entered on the 17th November 1994 it is Ordered:

- 1. That the Defendants together with all invitees, licensees and persons entering upon the land more particularly described in leasehold Property Title Number 11/OA22/061 ("the land") be and are restrained from causing or continuing to cause excessive noise on or from the land and from using any form of electrified amplification of sound except between the hours of 8 am and 5 pm, such electrified amplification not of itself to cause a nuisance.
- 2. The Defendant together with all invitees, licensees or persons upon the land shall not either jointly or severally enter upon or interfere with the quite enjoyment of the land of the Plaintiffs or any of them.

3. That a copy of this Judgment shall be displayed in a prominent position upon the land for a period of 14 days.



4. That the Defendants pay the costs of the Plaintiffs of the Proceedings herein, such costs to be taxed failing agreement.

DATED this 5th day for December 1994;

Judge

Judge

SUPPREME

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Take Notice

That any person breaching the terms of this Order shall be liable to be dealt with for contempt and may be liable to be fined or sentenced to a term of imprisonment as a result.