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**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

Probate Case No. 03 of 2012

IN THE ESTATE OF: **LATE RAUPEPE FIDELIA**

 Deceased

AND: **RAUPEPE DIDIER**

 Applicant

AND: **FREDY WASS**

 Respondent

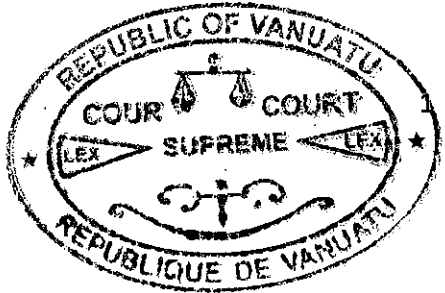
Coram: *Mr. Justice Oliver A. Saksak*

Counsel: *Mr. Lent Tevi for Applicant*
 No appearance by Respondent

Date: *25th June 2014*

JUDGMENT AS TO COSTS

1. The Court of Appeal allowed the applicant's appeal on 26th April 2013 and awarded costs of the appeal against the Respondent Fredy Wass at the standard rate as agreed or taxed.
2. The Applicant submitted his disbursements costs which totaled VT220,540 to the Public Solicitor's Office which accompanied his application filed on 19th May 2014. These were served on the Respondent on 20th April 2014. Eloi Tarisi deposed to proof of service on 16th June 2014.
3. At today's hearing the Respondent does not appear. There are no objections or submissions filed by him or his Counsel, Mr. Kapapa who filed a Notice of Beginning to Act on 6th June 2014.
4. The application is therefore unchallenged. The costs are not professional costs but personal costs consisting of –
 - (i) Appeal fees – VT25,000
 - (ii) Airline Tickets – VT93,540



- (iii) Food – VT42,000
- (iv) Rent – VT49,000
- (v) Electricity – VT6,000
- (vi) Transport – VT5,000
- Total – VT220,540

5. I certify the sum of VT220,540 as reasonable disbursement costs of the applicant which the respondent Fredy Wass must pay to the Applicant.
6. I Order the Respondent Fredy Wass to pay VT220,540 to the Applicant Raupepe Didier within 28 days from the date of this judgment.

DATED at Luganville this 25th day of June 2014.

BY THE COURT

