

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

Enforcement No. 22/2696 SC/CIVL

BETWEEN: Aaron Bongmial Hanghangkon
Applicant

AND: Hermon Hanghangkon
Defendant

Coram: *Justice Aru*
Counsel: *Judgment Debtor/Applicant in person*
Mr. D. Yawha Judgment Creditor

DECISION

1. The judgment debtor/applicant Mr. Aron B Hanghangkon applies to stay the enforcement proceedings. He filed an urgent ex parte application for stay with a sworn statement in support and undertaking as to damages seeking an ex parte hearing.
2. He was directed to serve the judgment creditor who filed a sworn statement in response.
3. In his oral submissions the judgment debtor submitted that the enforcement proceedings be stayed as the lease in question is the subject of an application for administration filed by himself which was listed for hearing on 22 February 2023. He is seeking administration of the estate of the deceased Aaron Hanghangkon who is their father.
4. Having considered the lease in question it was registered in the judgment creditor's name as the registered proprietor therefore it could not be part of the estate of the deceased as the deceased is not the registered proprietor.

Result

5. Having said the above the urgent application for stay of enforcement is therefore dismissed and the judgment/creditor is entitled to costs in the sum of VT5, 000 to be paid within 7 days.

DATED at Port Vila this 3rd day of February, 2023

BY THE COURT

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D. Aru
Judge

