

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

Civil
Case No. 23/889 SC/CIVL

BETWEEN: Nalau Peter lasitu

Claimant

AND: Peter Nocklam Manuing

Defendant

Date: 30 January 2026
Before: Justice V.M. Trief
Counsel: Claimant – Mr E. Molbaleh
Defendant – Mr L. Malantugun

DECISION AS TO APPLICATION FOR CONTEMPT OF COURT ORDERS

1. Consent orders were made dated 16 December 2024. Enforcement Orders followed dated 29 January 2025. These provided that if the Defendant fails to make payment of VT100,000 by or on the 25th day of every month starting on 25 January 2025, the Claimant had liberty to apply for enforcement.
2. On 25 November 2025, the Claimant and Judgment Creditor filed Application for Contempt of Court Orders asserting failure to pay the judgment sum and relying on liberty to apply for contempt of court orders in the Consent orders dated 16 December 2024. Sworn statement of Iaruel Lavinia filed in support.
3. However, imprisonment (i.e. for contempt of Court) for making default in payment of a sum of money is not a route available to the Claimants: see *Naylor v Foundas* [2004] VUCA 26. What must now be pursued is enforcement. Further, the Enforcement Orders plainly provide that failure to pay the judgment sum must be pursued by enforcement.
4. For the reasons given, the Application for Contempt of Court Orders filed on 25 November 2025 is **declined and dismissed**.
5. There is no order for costs.

DATED at Port Vila this 30th day of January, 2026
BY THE COURT


Justice Viran Molisa Trief

