

IN THE HIGH COURT OF THE COOK ISLANDS
HELD AT RAROTONGA
(LAND DIVISION)

Application 255/96

IN THE MATTER of the land known as
MITIARO SECTION 13P

A N D

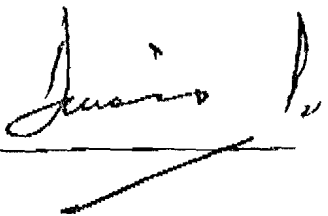
IN THE MATTER of an application by
CHRISTMAS DALEY (nee
HEATHER) and **NIA**
HEATHER

DECISION OF DILLON J.

Mrs Browne has now filed a Memorandum in reply to the decision proposed by the Court on 14 February 1997 subject to Mrs Browne having the opportunity of making these further submissions.

As a result of the Applicants obtaining the balance of the area by consent from the Una and Piapaina families, the Objector who comes from the Tuaata family now withdraws her objection. This objection is withdrawn on the basis that the Tuaata family share is not affected by this Occupation Right granted in favour of the Applicants.

By consent there will therefore be an Occupation Right in favour of the two Applicants jointly upon the usual terms and conditions - the area is 1170 square metres, plus a right of way as shown on the plan - the Applicants are to pay the survey costs - order accordingly.


Dillon J.
8 March 1997