

IN THE HIGH COURT OF FIJI
AT LAUTOKA
CONSTITUTIONAL REDRESS JURISDICTION

Constitutional Redress Application HBM 32 of 2016

AIYAZ ALI ZACK
[Applicant]

vs.

ATTORNEY GENERAL OF FIJI
[1st Respondent]

&

COMMISSIONER OF POLICE
[2nd Respondent]

Date of Ruling : 10 February, 2017

R U L I N G

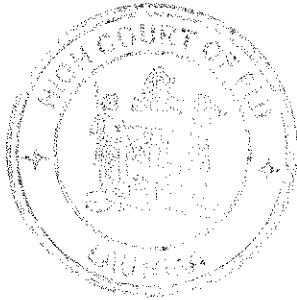
- [1] The applicant applies for constitutional redress pursuant to section 44(1) of the Constitution of the Republic of Fiji 2013 (“the Constitution”) by way of Notice of Motion and Affidavit.
- [2] In his Affidavit, the Applicant deposes to having been assaulted and mistreated by the Lautoka Police and to have had his personal property of some value taken from him. All of this happened in June 2014.

[3] The applicant's motion was filed in this Court on the 25th November 2016, 17 months after the alleged improprieties.

[4] Section 3(2) of the High Court (Constitutional Redress) Rules 2015 states as follows:

“(2) An application under paragraph (1) (*an application for redress*) must not be admitted or entertained after 60 days from the date when the matter at issue first arose.”

[5] This application being some 16 months out of time, it will not be entertained and it is therefore dismissed.



A handwritten signature in black ink, appearing to read "Paul K. Madigan".

Paul K. Madigan
Judge

At Lautoka

10 February, 2017