

IN THE HIGH COURT OF KIRIBATI
(BEFORE B SUTTILL C.)

HCLA 141/1990

BETWEEN: NEI TEBAU TEARAWA
AND OTHERS Appellant

AND: BEIA KAITARA
NEI MOATA TIBWE Respondents

J U D G M E N T

The appellants and respondents in this appeal are elderly persons. The case the appellants wanted to appeal was heard in 1990 and they lodged their appeal in time.

The system of justice operating in Kiribati delayed the hearing of their appeal until now. At this distance in time none of the parties to the appeal has sufficient recollection of events to prosecute the appeal. Consequently the appellant seeks leave to withdraw her appeal so that an end will be put to the matter.

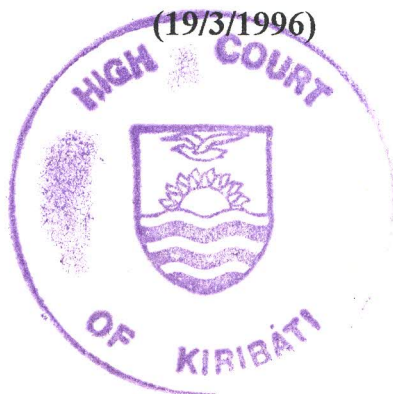
The second respondent was not present at the boundary determination originally objected to and has no idea why she was made a party.


Leave to withdraw the appeal is granted and the appeal is dismissed.



B SUTTILL
Commissioner
(19/3/1996)


Tekaie Tenanora
Magistrate
(19/3/96)




Betero Kaitangare
Magistrate
(19/3/96)