## BAURO LOCAL COURT

B/129/92.

Land Case held at Kira Kira on the 13th August, 1992.

BEFORE : WILLIE RORA

PRISID DW

MATHIM MAKAI

JUSTICE

PRANCIS WORLHARISI DAVID A. SURONGO

CLERK

Plaintiff: William Wanubiqwo

Present

Defendant: Thomas Taroramua

- Not present.

## JUDGIMITAT:

This is a land case between William Wanuhingwo plaintiff and Thomas Taroramua defendant concerning a customary land known in the Haununu original language as

In this case the plaintiff attended the court hearing whereas the defendant did not attend even though summon & notice of hearing was sent to him on 16/06/92 but fail to attend the court hearing. In this case the court proceed in the absence of the defendant to hear the plaintiffs statements seeing that no information

In this case the court asked plaintiff to present his map concerning the land in dispute and his genelogical table which marked "A1" and "A2". The plaintiff stated that the boundaries of Tarao land started at Ngarigawa stream mouth where his coconut plantation is and up to Gatokahi up to Marapui across to Qwarana to Tarao stream along down the river to the sea coast and back to Mgarigawa stream mouth.

Having examined evidences lodged in court by plaintiff the court have satisfied that the plaintiff ancestors were the real owners of Tarao Land and have been dwelling in the land for their lives. The court also learnt that defendants claim the land but as far as the court understand they (defs) fled from a tribal war of the Haununu armies called "Alast" and ran away to Tarao land and also known as Araoha to talic safety under the plaintiff's warriors because plaintiff warriors were not enemy with Aiasi warriors.

In this case the court learnt that defendant is not the real owner of Tarao Land because he went to take shelter with the plaintiffs warriors and they allow them live in their (plaintiffs) land and not to own the land, Too in this case the court learnt that defendants tribes have gone back to their home land and none of them leaving in Tarao land after dwelling for several years in Tarao land. Because none of them left back in the disputed land it shows clearly that def. have no

Also in this case the court learnt that the plaintiff have proporties such as coconut plantation, swamp tero plots sago palms and all estable trees such as nalinut trees and Gatoga nut trees. The court also learnt that def. have no properties in the disputed land therefore there is no prove of having ownership

## DECISION.

Having satisfied and proved all evidences lodged in court by plaintiff the court awarded decision in favour of plaintiff. The plaintiff William Wannhigwo is held to be the head of Tarao Land and he is the real land of Tarao Land, sketched in EX.41 starting from Ngarigawa mouth stream up to Gatokahi up to Marapui and across to Quarana to Tarao river down stream to Tarao river mouth and along the sea coast down to Ngarigawa stream mouth.

## ORDER

Defendant have no right in the Tarao land and no further developments to do in the land. Defendant Thomas Taroramua to keep away and banned not to enter in Tarao Land without the knowledge of plaintiff.

Right of Appeal explained

STR/C

Appeal within 3 months from todays date 17/8/92.

W-R

C/President: Willie Rora

C/Clerk: David Surongo