

IN THE GHORENA LOCAL COURT

WESTERN DISTRICT

SOLOMON ISLANDS

LC CASE NO: 01, 02, 03, 04/2015

IN THE MATTER OF:

Section 105 of Wills, Probate and Administration Act (Cap.33)

And:

IN THE MATTER OF: Section 8 of the Local Court Act Amendment (Cap.19) 1985

Applicants:	Wilson Evo	First Applicant
	James Bosevolomo	Second Applicant
	Robert Biara	Third Applicant
	James Rizu	Fourth Applicant

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**RULING**  
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This is a ruling on the objection application of the Fourth Applicant Mr. James Rizu and the First Applicant Mr. Wilson Evo. The facts of objections are similar in nature therefore this court will consolidate them in one ruling. The nature of objection comes out from the issue in which the Fourth and First Applicants claimed that the two other applicants referred to as the Second and Third Applicants were not party to the High Court in Civil Case Number 191 of 2014; which referred this matter to the Ghorena Local Court for the devolution of Perpetual Estate in Parcel Number 198-004-1.

The High Court of Solomon Islands in its 3<sup>rd</sup> November 2014 ruling; ordered this matter to be dealt with in the Ghorena Local Court under Section 105 of the Wills, Probate and Administration Act. (Cap 33) The Ghorena Local Court is the appropriate Local Court having jurisdiction in the area where the land in dispute is situated. The High Court just put the case back to the Ghorena Local Court and does not restrict any interested parties who have vested interest in this Lolobo matter. In this case it does not confine only to those who have appeared in the High Court to also participate in the Local Court proceeding for the devolution process undertaken by the Ghorena Local Court. Since members of Lolobo Tribe held beneficial

interests in Perpetual Estate in Parcel Number 198-004-1, any member from within Lolobo Tribe is entitled to make claim.

The matter is referred to the Ghorena Local Court and so it is under the jurisdiction of the Ghorena Local Court to decide which also gives power to the Ghorena Local Court to also hear or include as party those indicated interest in this process after the High Court ruling.

Therefore the application on the ground of not being party in the High Court is refused and dismissed. Now that both application of the Fourth and First Applicants are dismissed; the Ghorena Local Court will proceed and hear the application of the Second and third applicants.

Redley Amon.....President (Ag)

Joshua Lui.....Member

Edmond Ale.....Member

Donley Pako.....Member

Panaskai Tuke.....Clerk

Dated this 10<sup>th</sup> day of May 2016

At Ringi

Western Province

Solomon Islands

THE COURT

