

IN THE EFATE ISLAND COURT
OF THE REPUBLIC OF VANUATU
(Civil Jurisdiction)

Debt. Case No. 01 of 2011

BETWEEN: TOM FAILET
Claimant

AND: ESAU RAYMOND
Defendant

ORDER

WHEREAS; on 2nd February 2011, an application was filed before this Court by Tom Faulet, Claimant in this proceedings, for payment of money by way of compensation.


AND WHEREAS on 14th February 2011, Claimant submits an application before this Court for payment of money by way of compensation of VT245.000. Claimant argued that Defendant Esau Raymond fails to maintain his family and he is the one who took all the responsibilities in maintaining Defendant's family.

Section 12 of the Island Courts Act CAP 167 states;

"In the exercise of its civil jurisdiction an Island Court shall not award compensation or damages in excess of VT50.000".

In this case, Claimant sought an amount of VT245.000 which exceeds the amount of VT50.000 as prescribe by Law.

THEREFORE UPON BEING SATISFIED, THE COURT HEREBY struck out the matter accordingly. Both parties are given 30days to appeal



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Justice Daniel Frank [Chairman]



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Justice Francis Aru

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Justice Johnny Iawia

Dated at Port Vila this, 6th Day of December 2010.

