

**IN THE MALEKULA ISLAND COURT
HELD AT LAKTORO/ MALEKULA**
(Civil Jurisdiction)

Debt Case. No. 05/2012

BETWEEN: GIDEON GEORGE
(Claimant)

AND: BENARD ENDUEN
(Defendant)

Matter: Application for Debt Case

Both parties show appearance in Court.

ORDER

Samtaem long 25th blong manis septemba 2012, Claimant hemi kam putum klem blong hem from one dram mazut we hemi bing lus long kompaon blong LTC (Lakatoro Trading Center). Long namba 5th dei blong November 2012, court hemi kam blong arem case ia mo hemi adjenem iko long 8/11/2012 for Trial, blong pruvum ol toktok we tufala parties ibing talem.

Issue: Hemi tru se dram Masut ibing lus long kompaon blong LTC?

Smol Histri blong case:

Claimant – Taem Gideon George iko pem fret blo dram Masut lo Supakako, Supakako I advaesem hem se bae hemi ko karem dram blong hem lo Store (LTC) so claimant i ting se bae dram istap sef lo kompaon. Nex dei taem isentem draeva (Morris) blong ko karem dram, be I lus finis. Risen ia nao hemi wantem se bae Benard Enduen (Defendant) ipem pak dram ia.

Defendant – Benard Enduen hemi talemaot long kot ia se hem wetem ol staffs blong hem oli wok folem proceja blong wok we store hemi ron folem. Hemi minim nomo se taem eni kuds ikam long nem blong store bae oli mas meksua se efriting imas stap sef long kompaon. Kwistin we hemi talemaot long kot ia se “hao nao draeva ikam karem dram blong benjin mo hao nao dram Masut I lus we hem mo ol staffs oli no iven save”?

Findings blong Kot;

Kot hemi arem tuketa saet toktok mo tuketa saet witness blong tufala parties ia, hemi kam long ol findings ia:



Dram we hemi stap long stetmen hemi kam sev long MV Marata afta we Claimant hemi bing ko pem stret long ship. Claimant i pem long supakako mo supakako hemi talem stret long hem se bae hemi jes ko karem dram long sto. Taem draeva blong claimant iko from dram long sto, Claimant isud folem hem blong oli kam karem dram blong bae hemi prufum wetem ol risit. Also kot hemi faenemaot se draeva blong claimant, supakako mo draeva blong kamion blong LTC oli bing lukaotem olbaot insaed long kompaon be oli no faenem nomo.

Wetem olgeta findings ia, Court istap mekem olketa Orders ia se;


1. Bifo long 30th blong Novemba 2012, Defendant hemi mas pem ikopak long Claimant amaont blong 14,320vt we hemi praes blong dram ia we hemi lus.


Anyone long tufala parties ino akri long dicisen ia, hemi kat 30 deis blong appeal. 30 deis blong appeal hemi stat from tudei 8th dei blong November 2012.

Dated at Lakatoro this 8th day of November 2012.

BY THE COURT


.....
Justice Johnsen Selwyn


Justice Endie Shem


.....
Justice Douglas Vandel

