

IN THE MALEKULA ISLAND COURT

OF THE REPUBLIC OF VANUATU

Civil Case 15 of 2014

BETWEEN: ROBALIN TALLET

Mahe vilij, Central Malekula

Claimant

AND: ELIA TABI

Mahe vilij

Central Malekula

Defendant

CORAM: JUSTICE DOUGLAS FADAL

JUSTICE SHEMA TASVALLIE

JUSTICE JOHNSEN FRAZER

CLERK: COLLYNE TETE

DATE OF HEARING: 03 OCTOBER 2014

COURT VENUE: LAKATORO

JUDGMENT

CLAIMANT- Appears before the court

DEFENDANT – Appeared before the court

The clerk presents the civil case and summarises through the claimants' application made before the court claiming against the defendant to stop working on his property. He stated that after the defendant asked him to work on half of his property he agreed and showed him a piece of his property in which the defendant could plant his food to survive on. The defendant continued working on the area until worked over the land mark in which he was



not supposed to work on. He approached the defendant and even sends his parents and Chief to let him now that he worked over the Land mark but failed to listen.

The defendant responded and agreed upon the claim made against him and mentioned that the reason why he continued to work on without listening to the claimant is because he other brother in law who are disputing against the claimant on Land issues told him to work over the mark shown by the claimant because the Land is still in dispute and yet to be dealt with.

Upon hearing the application the court hereby made the following:

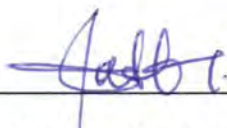
FINDINGS

The claimant has been working on the piece of Land which is still in dispute and to be dealt with by another court. The defendant failed and worked over the Land mark agreed between him and the claimant.


COURT ORDER

1. The defendant not to work over the Land mark agreed by him and the claimant.
2. The defendant to harvest is plants in the garden and to replant only on the area he has already planted on.
3. If both parties are not happy with the Island court decision has within 30 days the right to appeal to the Magistrate Court which in accordance to the Island Courts ACT CAP 167 section 22.

DATED THE 03 OCTOBER 2014



Justice Douglas Fadal



Justice Shema Tasvallie



Justice Johnsen Frazer

