

**BETWEEN:           KALTAU MANARURU**  
**Claimant**

**AND:                ANDREW KALONTAS**  
**Defendant**

## **JUDGMENT**

Coram:               **Hon. Justice Daniel Frank (Presiding Justice)**  
**Hon. Justice Harry Joshua**  
**Hon. Justice Ann Carlo**

Court Clerk:       **Nailyn Abel and Alida Tchivi**

Date of Hearing:     **Wednesday 12<sup>th</sup> August 2015 – Time: 2:00 pm**  
Date of Judgment:  **Wednesday 12<sup>th</sup> August 2015 – Time: 3:15 pm**

Court Venue :       **Dumbea, Port-Vila, Efaté, VANUATU**

**IN THE MATTER OF: PRINCIPAL CHIEF BLONG METEN CUSTOMARY LAND**

I kat wan Island Court Claim we Kaltau Manaruru hemi faelem long Wednesday 30<sup>th</sup> May 2012 long 3:15pm long afternoon. Kaltau Manaruru hemi apply i kam long court ia mo askem court ia blong declerem hem olsem Principal Chief blong Meten Customary Land hemia long North West blong Efate Island insaet long Shefa Province.

Long matter blong Section 10 blong Efate Island Court ACT [CAP 167] mo hemi matter blong Principal Chief blong Meten Customary Land, North-West Efate.



After we Island Court Clerk hemi readimaot name blong case loud mo briefim matter we hemi stap before long Efate Island Court hemia blong declarem “Kaltau Manaruru olsem Principal Chief blong Meten Customary Land”, i no gat any objection long olgeta Justices we oli nominated blong sitaon mo harem matter ia, therefore court i start blong proceed on wetem case ia.

Claimant Kaltau Manaruru hemi mekem wan narafala “Application for Discontinuance of Proceedings” bageken i kam long Efate Island Court follem Article 2 blong Order 9 long Island Courts (Civil Procedure) Rules blong 1984 long law blong Island Court Act CAP 167 we hemi olsem:

*“If, after the date fixed for the hearing, the plaintiff desires to discontinue any cause or to withdraw any part of his alleged claim, or if a defendant desires to discontinue or withdraw a counterclaim or any part thereof, such discontinuance or withdrawal may, in the discretion of the court, be allowed on such term as to costs and as to any subsequent cause or otherwise as the court may consider just.”*

Court hemi harem “Application for Discontinuance of Proceedings” long case we claimant Kaltau Manaruru i mekem mo after we court hemi harem tinktink blong defendant, court hemi stap mekem OLGETA COURT ORDERS olsem:

### COURT ORDERS

1. Efate Island Court hemi stap strickemaot Chiefly Title Case Number 3 OF 2012;
2. Plaintiff Kaltau Manaruru bae hemi must pem ‘Five Thousand Vatu’ (5’000vt) i kam long Efate Island Court olsem wan court fine before Friday 21<sup>st</sup> day of August 2015;
3. Every parties i gat right blong appeal within 30 days start from today 12<sup>th</sup> August 2015.

### BY THE COURT



Justice Ann Carlo



Justice Daniel Frank  
(Presiding Justice)



Justice Harry Joshua