

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

**Civil
Case No. 16/1187 IC/CIVL**

BETWEEN: GREGOIRE ETIENNE
Of Wilak village, North West Malekula
Claimant

AND: PALTU RIAMBATH
Of Wimandu village, North West Malekula

Defendant

Date of Hearing: ***17 August 2016***
Before Justices: ***Douglas Fadal, Robert Niptick, Kalman Hapsai***
In Attendance: ***Claimant in Person, Defendants in Person***

JUDGMENT

Kleima emi stap mekem mo filem wan kleim I kam long kot long namba 14 April 2016 mo ripotem tress pass agensem defendant long wan eria we emi gem long tawian blong em Mr Nicholas Paolo. Emi statem se emi stap developem eria since 1977 finis until las yia nomo emi gem long tawian blong em. Afta we emi gem long Mr Nicholas Paolo tawian Palti we emi Mr Frederic Charley emi stap disturbem olgeta bakagen from eria ia. Emi talem tu se I bin gat wan vilij kot miting and oda blong vilij kot emi blong Mr Frederic emit stop blong disturbem Mr Nicholas. Nad afta long 2 wiks nomo Mr Palti emi



continue blong disturbem claimer long eria ia. Olegta risen ia nao I mekem claimer I stap askem long kot blong restrainem defendant long eria ia and no disturbem Mr Nicholas Paolo long ol development we emi stap mekem. Ol witnesses blong claimer and claimer emi talem long kot se eria we Mr Nicholas Paolo emi stap wok long em emi pleas blong olfala Karen blong em.

Defendant emi respond mo statem se emi no agri long claim ia from se eria we claimer I gem long Mr Nicholas Paolo emi stealim we I stap insaed long eria blong Mitanawe. Emi claime se emi stret bladlaen mo lan ona long kraon ia long Mitanawe we wan lan decision I declare mem long 23 Maj 1975. Emi further statem se miting blong 25 July 2015 emi no wan kot be wan family discussion, we drafting blong decision I no fair from emi bin done by family Paolo. Defendant emi talem kot se bae oli wok nomo long olfala Karen be no brushem new bush.

COURT FINDINGS

After we kot I harem toktok blong ol parties kot I faenemaot se:

1. Eria we Mr Nicholas emi stap wok long em emi pleas blong olfala Karen blong claimer.
2. Eria we Mr Nicolas emi stap wok long em, claimer nao I gem long em blong wok long em.
3. Defendant emi talem long kot blong mr Nicholas I wok long eria blong olfala Karen nomo be no brushem new bush
4. Land ia emi stap long dispute.

ORDERS

1. Defendant Mr Palti Riambath blong restrain long eria we Mr Nicholas Paolo I stap wok long em.



2. Land issue tugeta partie I gat raet blong filem kes long Land management ofis long Lakatoro, Malekula.
3. Sapos ol defendants I fail blong comply wetem kot oda 1, claimer I gat raet blong filem kes long ENFORCEMENT BIFO LONG Senior Magistrate long Aelan Kot we Fee emi VT 1.000
4. Tugeta parties I gat raet blong apil agensem decision sapos tufala no hapi long decision follem Aelan kot ACT CAP 167 section 22 I ko long Magistrate Court we Fee emi VT 10,000.

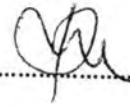


Dated at Lakatoro this 17th day of August 2016

BY THE COURT



Justice Robert Niptick



Justice Kalman Hapsai



Justice Douglas Fadal