

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

**Civil
Case No. 16/3318 IC/CIVL**

BETWEEN: JOHN ALSEN KELEP
Of Tisman villij, residing Rano vilij
North East Malekula
Claimant

AND: KENSON LESNAWON
SALERUA LESNAWON
Of Rano vilij, Northeast 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

Mr John Alsen Kelep applicant blong kes emi filem kes long Aelan Kot long namba 3 dei blong manis August 2016 agensem tufala defendant mo statem se tufala I tokbaot em long community blong Rano se emi wan posen man or man blong witchcraft samtaems long manis June 2016. Wetem ol toktok we tufala I talem I caussem damage long reputation long em olsem wan pupu man blong 80 yia mot u long ol family blong em.



Witnesses blong claimer Mr Glendon we emi pupu blong claimer emi talem long kot se long namba 16 dei blong manis June 2016 taem emi finis jej nao I wokbaot I kam daon long solwota Mr Kenson I singaotem em mo talem long em se bae I gat wan miting wetem apu. Emi further talem se taem emi askem se miting blong wanem Mr Kenson emi talem se miting from em (claimer) we emi wandem mekem posen. Afta we Kenson I toktok long em emi aot I ko long haus and emi talem maot long ol family memba blong em wanem we Kenson I talem. Even papa blong Glendon Mr Jean Marie Lapenmal emi talem long kot se Glendon I ko bak long haus mo talem long olgeta we Kenson I toktok long em.

Brata blong Klendon emi talem long kot se Mr Kenson emi talem long em se pupu blong olgeta stap mekem posen.

And last witness blong claimer we emi daughter blong claimer emi talem long kot se Mr Kenson emi bin lukim em mo talem long em se " olfala I kam blong mekem posen antap". Emi further talem se I no gat any man I ded blong oli blamem papa blong em se emi wan posen man.

Response blong tufala defendant Mr Salerua Lesnawon emi talem long kot se emi nao I bin tok long Mr. John Alsen from we emi luk em I kam long yard mo stap luk luk olsem we I stap lukaotem wan samting nao emi singaot I ko long Claimer se" Yu wandem mekem wanem ia" Nao claimer I respond mo talem se emi wandem ko long toilet nao Mr Salerua I tok long em blong I aot from toilet I no stap long ples we emi stap stanap long em.

Mr Kenson Lesnawon emi talem long kot se I true mi talem long ol witnesses blong claimer blong oli gat wan miting nomo from ol actions we claimer I stap mekem long time we olgeta I luk olsem se I stap wandem mekem posen so oli wandem holem miting blong stretem.



Mr. Don Ken emi witness blong Mr Kenson emi talem kot se evri parties ia oli liv long eria blong em. Emi further talem se risen why tufala defendants tufala I tok long claimer emi from we claimer I bitim toilet mo stap kam from haus. Emi further talem tu se claimer emi bin gem wan samting long pupu blong em we oli faenem taem ol polis oli searchem bag blong em long Portvila oli faenem marijuana mo wan plastic we I containem sam substance olsem posen we ashes' blong fire insaed long wan plastic bag.

COURT FINDINGS

Afta we kot I harem toktok blong evri parties kot I faenem maot se:

1. Ol witness blong claimer oli talem se Kenson nao I talem long olgeta se bae I gat wan miting blong stretem wokbaot blong claimer we I ko long yard blong olgeta mo even emi talem se claimer emi wan posen man
2. I no gat any proof se claimer emi killem wan man I ded mo tu I no gat proof se claimer I stap wandem or attempt blong mekem posen blong killem wan man long time we ol defendants oli luk em

ORDERS

1. Mr Kenson Lesnawon bae emi pem wan faen blong VT 1.000 i ko long claimer Mr John Alsen Kelep olsem sori blong em.
2. Mr Salerua Lesnawon bae emi pem wan faen blong VT 1.000 I ko long claimer Mr John Alsen Kelep olsem sori blong em.
3. Mr Kenson Lesnawon bae emi pem wan amount blong VT 500 i ko long claimer Mr John Alsen Kelep from court fee.
4. Mr Salerua Lesnawon bae emi pem wan amount blong VT 500 i ko long claimer Mr John Alsen Kelep from court fee.
5. Evri payment bae I mas ko long claimer by 17 October 2016 long 4:30pm.



6. Sapos tufala defendants I no mekem any payment afta long 30 days Mr Kelep I gat raet blong filem kes blong Enfosemen long Aelan Kot.
7. Evri parties I gat raet blong apil agensem decision sapos tufala no hapi long decision follem Aelan kot ACT CAP 167 section 22.

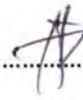


Dated at Lakatoro this 17th day of August 2016

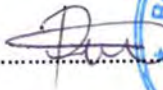
BY THE COURT



Justice Robert Niptick



Justice Kalman Hapsai



Justice Douglas Fadal

