

BETWEEN: PAUL TOM HIWA
Claimant

AND: MARCEL KALSARU
Defendant

Coram: *Hon. Justice Francis Aru (Presiding Justice)*
Hon. Justice Metoloa Silu Poilapa
Hon. Justice Nicholas Kaluatman

Court Clerk: *Alida Tchivi*

Date of Hearing: *Wednesday 21st day of September, 2016.*

Date of Judgment: *Wednesday 21st day of September, 2016 at 10:13 am*

Court Venue: *Efaté Island Court – Court Room, Joint-Court Ontop, Port-Vila.*

Attendees: *Both parties appeared in Court*

JUDGMENT

An application has been filed by **Paul Tom Hiwa** who is the plaintiff before this court in pursuant to Rule 1(2) of the Island Court Procedure Rules of 2005.

This is a normal civil claim for breach of contract between the Claimant and the Defendant namely **Marcel Kalsaru**.

Both parties were summoned and served. This matter was supported in open court.

Having read, heard and considered the application of claim made by the Claimant in this matter Paul Tom Hiwa on behalf of his unpaid sum;

And having heard and considered the Defendant's response concerning the debt Vt 46'000 which is the subject of this Court;

Both parties agreed that the outstanding Vatu for the Court to deal with is Vt 46'000.

This Court is satisfied and hereby makes the following Orders:

1. The Court orders that the Defendant 'Marcel Kalsaru' to pay Vt 5'000 every fortnight through a direct deduction from the Defendant's Employer 'Vanuatu Correctional Services' commencing end of September 2016 until the debt Vt 46'000 is paid in full.





2. All payment to be made directly to the **Bank Account Number 1504177** at the **ANZ Bank** in the name of **'Dorothy Mohil'**.
3. Both parties need to respect and comply with these orders. Failure to the above, party may apply orally or in writing to the Supervising Magistrate for Enforcement of the order or judgment if it remains unsatisfied.
4. Parties have a right to appeal from that judgment to the Magistrate's Court within 30 days from the date of this judgement

Port- Vila, Monday 21st day of September, 2016.

BY THE COURT




Justice Metoloa Silu Poilapa


Justice Francis Aru
(Presiding Justice)


Justice Nicholas Kaluatman