

BETWEEN: KATHLYNE DAVID

Claimant

AND: WILLIE NAVONG

Defendants

Date of HEARING: 03 December 2018
Before Justices: Douglas Fadal, Alina Malapa, Lesbeth Simeon
Clerk: Collyne Maki
In Attendance: *Claimant: Kathlyne*
Defendant: Willie Navong Represented by
younger brother

JUDGMENT

Kes ie emi bin register bifo long kot follem *Guided by the Island Courts (Civil Procedure) No 28 of 2005 Rule 1 subsection 1 to 7 stated" Starting of a civil claim" we I gem raet long anyone blong kam filem kes.*

Kes emi bin filed by Mrs Kathlyne David blong Bankir village Southeast Malekula agensem defendant Pastor Willie Navong follem damage long Karen blong em we pig blong defendant now I mekem.

ISSUE BIFO LONG KOT:

1. *Whether pig blong defendant now I causem damage long Karen blong claimant;*
2. *Wanem nao I happen I claimant I kam filem kes long kot.*

Afta we tufala parties I gam ol toktok blong tufala long kot and kot I harem toktok blong tufala kot I Mekem ol findings olsem:



COURT FINDINGS

- 1) *Pig blong defendant nao I causem damage long Karen blong claimant;*
- 2) *Defendant emi agri blong pem damage I ko long claimant from Karen blong em.*

Afta kot emi faenem maot ol tingting ia kot I Mekem oda olsem:

COURT ORDERS

1. Defendant bae emi pem bak amount blong 27,120 VT I ko long claimant;
2. Defendant bae emi pem VT 14,060 long 03 January 2019 mo complitim payment long 03 February 2019 wetem wan amount blong VT 15,060 we kot fee tu I stap insaed;
3. Sapos defendant emi fail blong comply wetem oda namba 1 mo 2 claimant I gat raet blong filem kes blong Enfosmen long Supervising Magistrate blong enfosem Aelan kot oda,
4. Follem Aelan Kot ACT CAP 167 section 22 I talem “ ***Eni long tufala party defendan or kleimen sapos I no happy long decision ia I gat 30 dei blong I apil I ko long Magistret kot***”



Dated at Lakatoro this 03rd day of December 2018

BY THE COURT



Justice Douglas Fadal



Justice Lesbeth Semeon



Justice Alina Malapa

