

IN THE MALEKULA ISLAND COURT  
OF THE REPUBLIC OF VANUATU  
(Criminal Jurisdiction)

Debt  
Case No. 17/04 IC/CIVL

BETWEEN:

**MAEVA LELE**

Claimant

AND:

**JOHN KENCY SEPTY**

Defendant

*Date of Hearing:* 16 April 2018

*Venue:* Lakatoro Court House

*Before:* Justice Douglas Fadal, Justice Joses Lingi, Justice Patisson Peter

*Clerk:* Collyne Tete Maki

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JUDGMENT

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The matter registered before the Island was civil claim filed by Mrs Maeva Lele of Limap village Central Malekula. The application from the claimant was filed on the 4<sup>th</sup> day of September 2017 claiming an amount of VT 31,000 which the defendant borrowed and failed to repay the claimant.

She claimed for the defendant to reimburse 31000 VT and expenses such as VT 1000 for the court fee, VT 1200 for transportation travelling to Lakatoro.

The defendant responded and admits the claim made against him.

COURT FINDINGS

1. The defendant admits the claim made against him;
2. Defendant failed to comply with the agreement made by him and the claimant;
3. *Guided by the Island courts Act CAP 167 section 13 Subsection (a) stated "In civil proceedings an island court in addition to any other power it may have may make any or a combination of the following orders (a) an order for the payment of money by way of compensation, costs or otherwise*

Upon the findings the court hereby makes the following orders:



## ORDERS

1. The defendant to pay the amount of VT 33,200 of which VT 31,000 is for the money owed and VT 1,000 for the court fee and VT 1,200 for transportation paid by the claimant;
2. The total amount of VT 33,200 to be repaid within 2 months first payment VT 16,600 to be done within the 16<sup>th</sup> day of April 2018 to the 16<sup>th</sup> day of May 2018;
3. The second payment in completion of the total amount 16,600 to be paid within 16<sup>th</sup> day of May 2018 to 16<sup>th</sup> day of June 2018;
4. Within 30 days if the defendant FAILED to comply with the orders 1 to 2 the claimant has the right to file an Enforcement before the island court;
5. In accordance to the Island Court ACT CAP 167 section 22 states “ *Any person aggrieved or not happy by an order or decision of an island court may within 30 days from the date of such orders to appeal to the Magistrate Court* “.



Dated at Lakatoro this 16<sup>th</sup> day of April 2018

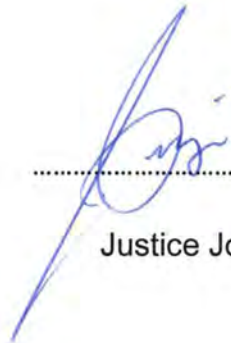
BY THE COURT



Justice Douglas Fadal



Justice Patisson Peter



Justice Joses Lingi