

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

**Civil
Case No. 17/3000 IC/DEBT**

BETWEEN: **TSUNG TOURSESREW**
Claimant

AND: **YONI LELECTEI**
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**

JUDGMENT

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

The matter registered before the Island was a debt claim filed by Mr. Tsung Toursesrew of Walla village, Northeast Malekula against the defendant Mr. Yoni Lelectei originally from Walla village, Northeast Malekula. The application was filed on the 18th day of October 2017.

The claim as stated on the claimants claim claimed against the defendant that sometimes in June of the year 2017, the defendant borrowed an amount of VT 20,000 from to him with agreement to pay for green copra and failed to comply with the agreement.

He further stated in court that an amount of VT 15,000 was reimbursed by the defendants' brother and mother residing in Santo but the defendant still owed him VT5, 000 and must pay for his expenses that he had made when filling the case at Lakatoro.

The defendant responds to the claim and admits of the claim made against him.

COURT FINDINGS

1. The defendant admits the claim laid against him



2. The defendant failed to repay in a timely manner that made the claimant expenses to travel to Lakatoro
3. There are receipts provided to justify the expenses made by the claimant a total of VT 4,800
4. ***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 9,800 of which VT 5,000 is for the money owed and VT 4,800 for the court fee paid by the claimant and other travelling expenses;
2. The total amount of VT 9,800 to be repaid within 1 month commencing 16th day of April 2018 to 16th day of May 2018;
3. 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;
4. 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 16th day of April 2018

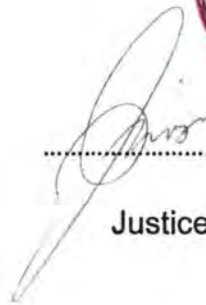
BY THE COURT



Justice Douglas Fadal



Justice Patisson Peter



Justice Joses Lingi