

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

Land Case No. 2 of 1992  
IC/CIVL

**BETWEEN: Tuvuleo Naruel**

Original Claimant

**AND: Chief Tavkav Aitmata (Oso Livo)**

Counter Claimant

Coram: Hannaline Nalau Ilo  
Original Claimant: Tuvuleo Naruel  
Counter Claimant: Chief Tavkav Oso Livo  
Clerk: Anthony Lessy

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**MINUTE OF WITHDRAWAL CONFERENCE**

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At conference held today in Luganville, Santo, both parties, the Claimant and Counter Claimant were present and seeking from the Court to withdraw this land matter which is pending hearing since it was lodge in 1992.

This matter was first lodged by the Claimants father's brother named Aitmata in 1992. There were four (4) counter claimants to the Original Claim who expressed their wish to be parties but there is no record of whether they have filed any documents to substantiate their Claim. It is not even clear as to whether the Island Court building fire (some years back) may have destroyed the records of their Claim, but it is undisputed the matter was too long delayed and this may have contributed to the confusion by the parties pursuing their claim.

On 12<sup>th</sup> September, 2014 a Conference was held by the then Senior Magistrate to seek from the parties whether they wish the matter to be pursued by the Island Court or by the Land Management Body under the new Act. At this conference, the matter was apparently struck out on the grounds that the parties have not taken the appropriate steps to proceed the matter and the parties have not attended to Court.



And then on the same day, the First Counter Claimant Tuvuleo Naruel who appeared in person applied to reinstate the matter. The Court thereby reinstated the matter making the Applicant Tuvuleo Naruel being the Original Claimant and against him the former Original Claimant (Aitmata) became the only Counter Claimant in the new case.

Nothing has happened again to proceed this matter until today both parties turned up in Court in Court and sought to have the matter withdrawn. Their grounds of withdrawing is that over the years the parties realised they do not have a dispute to the ownership of the land known as "Lalavura Land" situation somewhere South West of Santo.

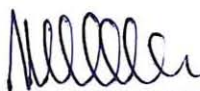
They confirmed that apparently the dispute of the Lalavura land has been to seven (7) previous formal Village Courts prior to coming to the Island Court. In all of the Court sittings, the Original Claimant won the claim.

They told the Court that they (including the other two claimants in the previous Claim) are all members of the same family and they do not dispute as to who is to be the head of their tribe with regards to the ownership of Lalavura land. Accordingly, they have resolved to withdraw the matter from the Island Court and to work together in securing the land with a green certificate.

The Court having heard both parties concedes to their wish to withdraw the matter and hereby dismisses the matter for the parties to take appropriate steps somewhere else.

**DATED at Luganville this 27th day of February, 2019.**

**BY THE COURT**



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Hannaline Nalau Ilo  
Supervising Magistrate,  
Santo Malo Island Court

