

BETWEEN: PEDRO MANDIA

Claimant

AND: MICHEAL VENU

Defendants

*Date of HEARING:* 20<sup>th</sup> day of July, 2020 at 8:00 AM  
*Before Justices:* Douglas Fadal, Luan Gaum, Alina Malapa  
*Clerk:* Collyne Maki  
*In Attendance:* Claimant – In person  
Defendant – In person

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JUDGMENT

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Kes ie emi bin register bifo long kot follem *Island Courts (Civil Procedure rules) No 28 blong 2005 Rule 1 subsection 1 to 7 we I talem " Starting of a civil claim"*we I gem raet blong eni man o woman I kam filem wan claim blong em long Aelan kot.

Kes emi filed by Mr Pedroi Mandia blong Unmark vilij, Northwest Malekula.Emi filem kes long namba 25 blong manis Mei 2020 mo kleim agensem defendan se pig blong em emi damagem ol property blong em we emi 24 stampa blong manioc. Emi talem tu se afta we ;pig emi damage emi bin ko talem long defendan se bae emi pem damage ia be defendan emi se emi no gat mani be bae emi replacem wetem 24 hand blong manioc blong claimer emi plannem we emi fail blong mekem kasem tedei.



Emi further talem se defendan emi mo ol sista blong em nomo oli fidim pig long eria we oli liv klosap long olgeta. Witness blong em tu we emi Alick Rahai we emi nao emi ko mekem assesmen mo confemem se yes I gat damage we pig I mekem long Karen blong claimer. Emi talem tu se taem we defendan emi mekem bak gud fence blong em ol pig oli nomo damage, mo pig ia emi no wan smol pig be wan bigfala bolbig we color blong em emi blak mo waet.

Defendan emi talem long kot se risen we emi mekem agrimen wetem claimer from we witness emi luk wan pig we emi color black and waet nao emi talem se from we pig blong em emi black and waet.

*Afta we kot I ridim kleim mo harem toktok blong tufala parties kot I faenem maot se:*

#### COURT FINDINGS

- Micheal Venu mi bin mekem wan agrimen wetem claimer be emi fail blong fulfilim
- Micheal Venue mi talem se color blong pig blong em emi black mo waet we emi semak long color we Alick Rahai emi talem
- Alick Rahai we emi witness blong claimer mo em nao emi mekem assesmen long Karen we pig I damagem ol manioc mo banana long em

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

#### COURT ORDERS

1. Defendan bae mi pem wan compensation blong amount blong VT 5,000 we bae emi ko from ol manioc mo banana we pig blong em I damagem long Karen blong claimer ;
2. Defendan emi gat 30 dei blong emi complitim VT 5,000 fine ia I ko long claimer stat long dei we emi risivim jajmen;

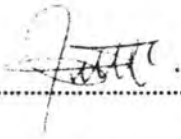


3. Sapos defendan emi no comply wetem oda namba 1, kleima emi gat raet blong kam filem kes blong Enfosmen long clerk blong ko bifo long wan Supervising Magistrate;
4. Follem Aelan Kot ACT CAP 167 section 22 I talem " *Eni long tufala party defendan or kleimen sapos I no happy long decision ia I gat 30 dei blong I apil I ko long Magistret kot" mo 30 dei blong apil ia bae emi stat long dei we yu resivim Judgmen*



**Dated at Lakatoro this 20 day of July 2020**

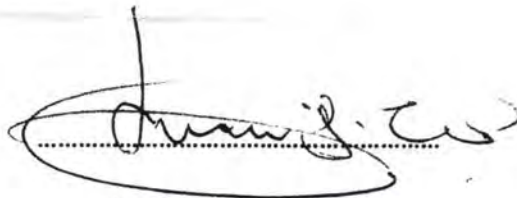
**BY THE COURT**



Justice Douglas Fadal



Justice Robert Niptick



Justice Luan Gaum

