

IN THE BANKS/TORRES ISLAND COURT  
OF THE REPUBLIC OF VANUATU

Civil Case  
No 20/3157 IC/CIVL

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(Civil Jurisdiction)

**BETWEEN: SIMON EDGEL**

*Applicant*

**AND: MEDLEY GEORGE BOLTOVIN**

*Defendant*

**CORAM:** Justice Raymond SIPLAQ  
Justice Abel PATTERSON  
Justice Gracetella SMITH

**DOH:** 24<sup>th</sup> November 2020  
**DOJ:** 24<sup>th</sup> November 2020

**CASE:** CLAIM FOR BREACH OF AGREEMENT [MARRIAGE VOW]

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## JUDGEMENT

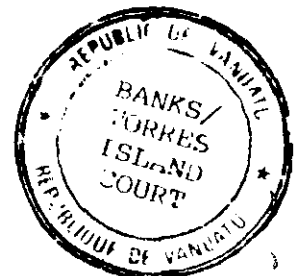
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Issue;

- o Whether or not the Defendant had had sexual affairs with the Claimant's spouse [wife]?

**Introduction**

1. This is a Claim for breach of Marriage vow [agreement] between the Claimant and his spouse, brought before this court by the claimant, Simon Edgel, against the defendant, Medley George B.
2. The claimant claims that in July 2019, he was in Santo.



3. While he was away, the defendant had sexual intercourse with her legal wife in five (5) different occasions. He claims that these sexual affairs are without the intention of his wife.
4. He Claims that he and his wife are legally married. And the actions of the defendant had breach the agreement [Marriage] they have made during their marriage.
5. Several attempts were made for the defendant to settle the matter, with no success, therefore the claimant pursues the matter before this Court to order the defendant to settle his claim.

### **Application**

6. The claimant claims an amount of 50,000 VT as breach of agreement Claim plus 1,000 Vatu as the Court fee.

### **Court Findings**

The Court finds out that:

7. The defendant admits the truth of Statement of Claim lodged against him.
8. The answer to the Issue is "yes".
9. After considering the Claimants summary of facts [in the Claim], the court made the following Orders: Pursuant Rule 6 (5), of the Island Court civil procedure Rules.

### **COURT ORDER**

10. Defendant Medley George Boltovin, you are ordered to settle the Claimants Claim at an amount of 31,000 Vatu.
11. Payments should be completed within 1 month, which is before 24<sup>th</sup> of December 2020.
12. Payments must be made directly to the Court Clerk at the Sola Court House or to the claimant and produce receipt to the clerk for record purpose.
13. Liberty is given to both parties to appeal within 30 days if they are not satisfied with this decision.

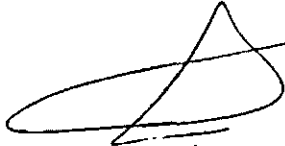


Dated at Nerenigman- MOTA LAVA, this 24<sup>th</sup> November 2020

BY THE COURT



Justice Raymond SIPLAQ



Justice Abel PATTERSON



Justice Gracetella SMITH