

IN THE BANKS/TORRES ISLAND COURT DEBT. CASE NO 656 OF 2021  
OF THE REPUBLIC OF VANUATU

.....  
(Civil Jurisdiction)

**BETWEEN: MARTIN MERA**

*Claimant*

**AND: VICTORIA DINIWOK**

*First Defendant*

**AND: KAMUAL DINIWOK**

*Second Defendant*

**CORAM:** Justice Gracetella SMITH  
Justice Franklin WOLEG  
Justice Keith HOPKINS

**Clerk:** Dimas ARU

**DOH:** 24<sup>th</sup> June 2021

**DOJ:** 24<sup>th</sup> June 2021

**CASE:** APPLICATION FOR DEBT SETTLEMENT

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## JUDGEMENT

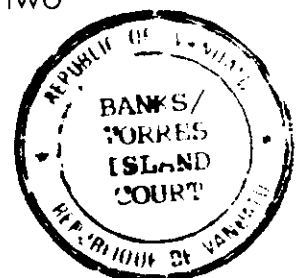
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Issue:

- o Whether or not the Defendant has an outstanding debt with the Ureparapara Sea Transport Services?

Introduction

1. This is an Application for the settlement of an outstanding debt brought before this court by the claimant, Martin Mera, against the two defendant.



2. The claimant claimed that the defendants has an outstanding debt with the Ureparapara Seas Transport Services. It is an amount of 28,000VT which is for a boat trip that was unpaid.

### **Application**

3. The claimant claims an amount of 28,000 VT as the outstanding Debt plus 1,000 Vatu as the Court fee. The total claim is 29,000 VT.

### **Appearance**

4. No appearance for the defendants.

### **Court Findings**

The Court finds out that:

5. Both defendants are currently residing and working in Luganville, Santo. Therefore in accordance to Sections 8 of the Island Courts Act Cap 167, this court lack jurisdiction to determine this case.
6. It is more proper for this court to refer this matter to a court within which these defendants resides, pursuant to the Act.
7. After considering all facts, the court made the following Orders:

### **COURT ORDER**

8. This matter is transferred accordingly to Santo/ Malo Island court.
9. No Orders as to cost.
10. Liberty is given to both parties to appeal within 30 days if they are not satisfied with this decision.



Dated at Sola- VANUA LAVA, this 24<sup>th</sup> June 2021

BY THE COURT

*Gracetella Smith*

Justice Gracetella SMITH

*[Signature]*



*[Signature]*

Justice Franklin WOLEG

Justice Keith HOPKINS