

IN THE TONGOA SHEPHERDS ISLAND COURT
OF THE REPUBLIC OF VANUATU

Civil Case No. 21/1563 IC/CIVIL

(Civil Jurisdiction)

BETWEEN: DANIEL OBED
Claimant

AND: MORSEN HARUEL
Defendant

Jastices: Apia Samoa
Mere Pakoa
Jeremiah James

Clerk: Joel Jacob

Date of Hearing: 28th September 2021

Venue: Morua Court House

MATTER: COMPENSATION CLAIM

JUDGMENT

Daniel Obed hemi putum keis ia akensem Morsen Haruel from hemi ting se Defendant Morsen Haruel nao, ikatem brekem ol post blong aos blong hem imekem se payment we hemi spendem long benzine, local kakae, kakae long store mo kava from wok blong hem hemi waste nomo. Today istap wantem blong man ia imas compensetem hem long wan amount blong 50,000VT from every spending ia.

Issue:

Itru se Morsen Haruel ikatem post blong Daniel Obed?

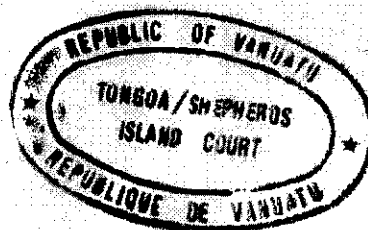
Sipos hemi tru, why nao Morsen Haruel ikatkatem ol post ia?

Sipos hemi tru wanem nao oda we bae kot ia imekem from ol spending ia?

Full Storian

Daniel Obed italemaot se every samting we istap insaet long statement blong hem oli tru everyone. Hemi pointemout se ikat wan criminal keis istap long ol police finis mo after long criminal keis ia, bae hemi faelem wan compensation kleim we amount blong hem bae ikasem 500,000VT we Morsen Haruel imas kivim long hem. Lastly, Daniel Obed italemaot se hemi respectem kot ia mo iwantem blong Morsen Haruel tu imas putum tingting blong hem iko daon mo comply long kleim we istap.

Taem kot hemi kros examineitem Claimant, hemi talemaot se ples ia we ikatem post long hem ol olfala blong hem nao oli wok laswan long hem imekem se hemi no tingting blong askem long anywan from hemi sua se ples ia iblong Marakipuleliu. Daniel Obed italemaot se ples ia ino wan yard blong wan buluk be, ikat ol brokbrok wire nomo istap long area ia mo hem nao ipulum ol wire ia. Istop endem storian blong hem se after we



Morsen Haruel ikatem post ia, sam day ipass, hemi ko karem ol post ia ikam-long aos blong hem from hemi property blong hem we ispendem mani from.

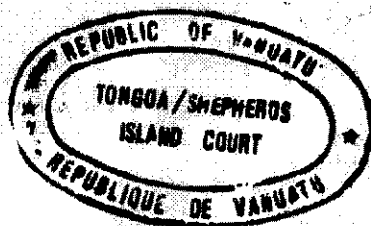
Long narasaet storian, Morsen Haruel hemi admitim se yes, hem nao ikatkatem ol post ia we Daniel Obed ikatem kud istap. Risen why hemi katem from hemi se ikros tumas from Claimant ikatem post ia long yard blong hem (Morsen Haruel). Hemi se brata blong hem Daniel Obed isud askem long hem fastaem bifo ikatem from ol wood ia hem nao ilukaotem olketa taem oli smol kasem we oli bikwan kud insaet long yard blong hem. Mo tu sipos claimant istap askem kud, hemi se bae ino save katkatem ol post ia. Lastly, hemi se ijes save se Daniel Obed nao ikatem post ia taem we Hamsen ikamaot long aos mo talemaot long hem.

Long cross examination question, Morsen Haruel italemaot se hemi traem blong faenemaot long ol family blong hem se who nao hemi katem wood blong hem be oli no save imekem se, hemi kros tumas afta iko katkatem ol post ia. Morsen Haruel ikoet mo talemaot se ples ia we wood istap long hem istap insaet long yard blong hem mo hem (Morsen Haruel) nao ipulum fence ia raon long yard ia. Long last toktok blong Morsen Haruel, hemi talemaot se hemi sorry tumas long ol wood ia taem we Daniel Obed ikatem olketa.

After we kot ia iarem storian blong tuketa parties, kot ia ikamap wetem olketa faendings ia;

- Stampa blong issue ia hemi related long kraon
- Morsen Haruel nao ikatkatem ol post ia
- Daniel Obed ikatem daon wood ia blong mekem post long hem
- Tufala parties ibrata nomo
- Tufala parties iblong wan (1) nasara nomo
- Claimant ikatem post blong aos. Defendant ikatkatem post ia from hemi kros tumas
- Daniel Obed imekem bikfala expenses finis taem hemi katem wood ia
- Tufala parties inosave kamap wetem wan compromise tingting imekem se problem ia ino save settle.
- Wood ia ikat wan man istap lukaotem, man ia hemi Morsen Haruel
- Tufala parties istap anda long wan paramount jif
- Daniel Obed imensenem se keis ia istap long hand blong police yet mo after long hemia, bae hemi faelem wan compensation kleim blong defendant hemi pem wan amount blong 500,000 VT
- Police ino prufum se fasin ia we Morsen Haruel imekem hemi wrong
- Claimant iwantem blong defendant iputum tingting blong hem ikodaon mo comply long kleim we istap
- Sem issue ia istap wetem police yet
- Claimant italem se hem nao ipulum wire
- Defendant italem se hem nao ipulum wire

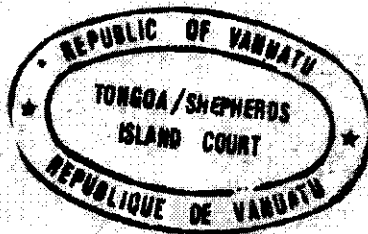
After long olketa findings blong kot ia, hemia nao hemi oda we kot imekem;



Order

1. Stampa blong wood we istanap istap, Morsen Haruel nao istap lukaotem longtaem ikam kasem taem we Daniel Obed ikatem.
2. Daniel Obed, yu mekem wan fasin we ino stret from yu katem wood ia we Morsen Haruel istap lukaotem
3. Morsen Haruel, yu kat every raet blong mekem Daniel Obed ipem wood we yu stap lukaotem
4. Daniel Obed, after long criminal keis we istap long hand blong ol police finis, sipos police ifaenemaot se yes, man ia Morsen Haruel hemi kilti long ol offence we ikomitim, yu kat every raet blong mekem man ia Morsen Haruel ipem bak every expenses blong yu.
5. Kot hemi kamap wetem wan nara lukluk pakeken be hemi opsenol long tufala parties. Sipos yutufala iagree, yutufala imekem wan reconciliation nomo after foketem every rafis fasin we yutufala stap mekem from we yutufala brata mo yutufala kamaot long wan nasara nomo.

Sipos anyone long tuketa parties ino klad long decision ia, ikat 30 days blong apil iko long magistrate kot stat tete iko.



Dated long Morua Kot Aos, Tongoa Island this 28th September 2021.

BY THE COURT

Apia Samoa

Apia Samoa

MERE PAKOA

Mere Pakoa

Jeremiah James

Jeremiah James

