

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

Civil Case 1316 OF 2022

BETWEEN: PASCAL MALNAIM

Claimant

AND: FRANK MALNAIM

Defendant

Date of Hearing: 06 September 2022

Date of Judgment: 06 September 2022

Before Justices: Patisson PETER (Chairperson), Presilla JOHNETY, Kalangis MELE

Clerk: Collyne Tete Maki

In Attendance: Claimant - Present
Defendant – Present



CONSENT JUDGMENT

1. INTRODUCTION

Claimant emi filem kes blong damage agensem defendan

2. ISSUE BIFO LONG KOT:

- *Why nao defendan emi damagem ol property blong claimant?*

3. BACKGROUND BLONG CASE

KLEIMEN

1. Emi liv long Rano vilij
2. Emi claim damage we defendan emi mekem long 02 June 2022

DEFENDAN

1. Emi no filem any respons i kam long kot
2. Be emi talem long kot se ol damage ia emi made long ol crops we claimant emi jes plannem nomo 2 dei afta emi ko pulum maot
3. Emi talem tu se emi bin talem long claimant blong oli no plannem cocoa or coconut be oli save plannem kaikai nomo long ples ia be claimant I fail nao I ko plannem cocoa mekem emi ko pulum aot
4. Ples we claimant emi ko plan long em emi ples blong em

4. COURT FINDINGS

- Claimant emi agri blong oli soretem maot issue ia long nasara blong olgeta
- Defendat u emi agri blong oli ko sortem maot issue ia long nasara blong olgeta
- Tufala parties I stret family nomo

5. COURT ODA

1. Tugeta Parties blong sortem maot issue ia long nasara blong tufala
2. Issue ia tufala I mas sortem maot bifo 06 October 2022
3. Samuel bae emi muv bitwin apu mo papa blong em
4. Sapos any long tufala party emi fail blong comply wetem oda 1 kasem oda 2 then any party emi gat raet blong kam filem wan Enfosmen kes we bae I ko long foret blong Supervising Magistrate long Lakatoro
5. Any parties emi no agri long kot decision ia emi gat 30 dei blong emi apil I ko long Magistrate kot.

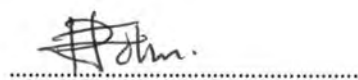


Dated at Lakatoro this 06 day of September 2022

BY THE COURT



Justice Kalangis Mele



Justice Presilla Johnety



Justice Patisson Peter

