

IN THE BANKS/TORRES ISLAND COURT CIVIL CASE NO 3909 OF 2021
OF THE REPUBLIC OF VANUATU

.....
(Civil Jurisdiction)

BETWEEN: JENRY ATKIN

Claimant

AND: GEORGE BIGITLEY

Defendant

**CORAM: Justice Leolyn ROSLYN
Justice Gracetella SMITH
Justice Able PATTERSON**

Clerk: Dimas ARU

DOH: 01st July 2022

DOJ: 01st July 2022

CASE: CLAIM FOR DEFAMATION

JUDGEMENT

Introduction

1. Claimant hemi claim se defendant hemi bin mekem sam defamatory statement akensem hem. Ol statements ya oli no tru mo oli affectem reputation blong hem. Claimant hemi stap claim long wan amount blong 50,000 VT.

Issue:

2. Igat 2 issue blong Court hemi considarem. Feswan, sapos defendant hemi bin mekem sam statements aganesem claimant we oli no tru. Mo namba 2 hemi sapos ol statement ia oli affectem reputation blong claimant long community.



Application blong discontinuim Claim

3. Afta long exchange blong claim mo response, claimant hemi faelem wan application blong discontinuim claim blong hem.

Ol findings blong Court

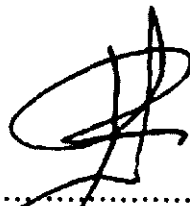
4. Court I bin faenem se claimant hemi bin faelem wan application blong widrowem case ia, purposely blong oli gat wan *out-of-court* settlement.
5. I mekem se court hemi nomo save dil wetem ol issue we I stap be naoia kwesten we I stap bifo long court hemi whether or not bae court bae hemi grandem application blong discontinue claim ia.

DECISION

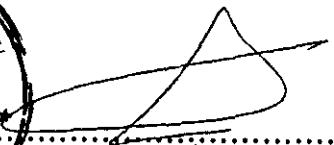
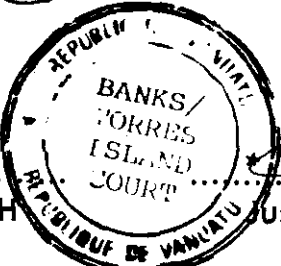

6. Folem Rule 3 (1 &3) blong *Island Courts (Civil procedure) Rules*, Court hemi grandem application blong claimant blong discontinuim claim blong hem.
7. Court hemi stap dismissim matter ia.
8. Sapos anywan we I no agree wetem decision ia, hemi save apil within 30 days long date we judgment ia hemi kamaot.

Dated long Sola- VANUA LAVA, this 01st July 2022.

BY THE COURT



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Justice Leolyn ROSLYN



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Justice Gracetella SMITH Justice Able PATTERSON