

IN THE ISLAND COURT (LAND)
OF THE REPUBLIC OF
VANUATU – Luganville
(Custom Land Jurisdiction)

Case No. 23/788 IC/CUST

IN THE MATTER OF: SECTION 45 OF THE CUSTOM LAND
MANAGEMENT ACT

AND

IN THE MATTER OF: TASAKAU CUSTOMARY LAND
Big Bay Santo

AND

IN THE MATTER OF IN THE MATTER OF: The NOKA Village Land Tribunal & Molitamata
Village Land Tribunal, sitting as Joint Village
Land Tribunal
Dated 8th December, 2009

BETWEEN: Florian Ngwele
Representing Family Ngwele and Family Mahe
Port Olry
North East Santo
Applicant

AND: NOKA Area & Moli Tamata Area Joint Village
Land Tribunal
Santo
First Respondent

AND: John Pune
Sukalato
Big Bay bush, Santo
Second Respondent

Coram:
Senior Magistrate B. Kanas Joshua, Chairlady
Justice Victor Moltures Taftumol
Justice Kaory Molivalivu
Justice Tiwok Saul

Applicant: no appearance
1st Respondent: Mr L. Huri
2nd Respondent: no appearance

MINUTE AND ORDER

1. The Court informed all the parties that although Section 43(2)(b) of the Customary Land Management Act No. 33/2013 states that the Island Court (Land) must comprise of 4 justices of the Island Court and a Judge/Magistrate, this is not necessary on conference days. However, on sitting days, Section 43(2)(b) must be complied with and the full bench will hear applications filed in Court.



2. The applicant is legally represented by Mr Edwin Macreveth. He was not present in Court, however, he filed a memorandum on 9th June, 2023, stating that he has a trial on 20, 21 and 22 June, 2023, at the Supreme Court.
3. The applicant has filed an application for review and a sworn statement in support of the application. Parties were served and this was confirmed by the first respondent.
4. Mr Huri informed the Court that he has not filed a response to the Application for Review.
5. There was no family member of the second respondent present in Court today.

THE COURT orders,

- a) That the applicant must file a response to the application to be added as a party, filed by the interested party and have it served on all parties.
- b) That the respondents must file a response and have it served on all parties.
- c) That the matter is adjourned to 26th June, 2023, at 2:00pm in the afternoon, for the hearing of the application.

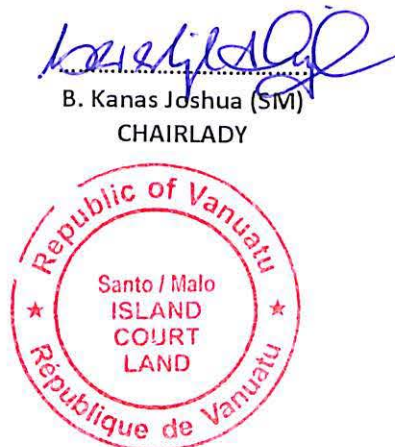
Dated in Luganville, on this 19th day of June, 2023

BY THE COURT



 Justice Victor Moltures


 Justice Tiwok Saul





 Justice Kaory Molivalivu