

**BETWEEN:** Noel Horo Garae Kokona  
Of Ambae Island, Penama Province  
Claimant

**AND:** Endrickson Arubiti  
Of Ambae Island, Penama Province  
Defendant

*Date of Hearing:* Thursday 28<sup>th</sup> September, 2023  
*Date of Judgement:* Thursday 28<sup>th</sup> September, 2023 at 10:09 Hours  
*Venue:* Efate Island Court – Court-Room, Joint-Court Ontop, Port-Vila  
*Before:* Justice F. Thomas (Presiding Justice)  
Justice L. Sakita (Member)  
Justice J. Kalserei (Member)  
*Island Court Clerk:* A. Alain  
*In Attendance:* Claimant – Noel Horo Garae Kokona  
*In Absence:* Defendant – Endrickson Arubiti

*Copy:* Court File

---

## ORDERS

*[Rule 9.2 (3) of Civil procedure rules No. 09 of 2002]*

---

An application has been filed by **Noel Horo Garae Kokona** who is the claimant before this court in pursuant to Rule 1(2) of the Island Court Procedure Rules of 2005. The claimant owns a valid registered and licenced business of money lending namely “Tayano Lending Scheme”.

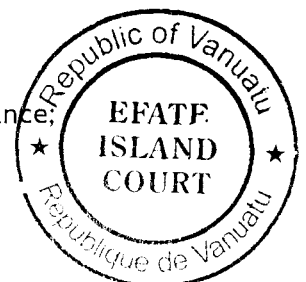
Claimant is seeking orders from the Island Court to order **Endrickson Arubiti** the defendant to pay 50'000 vatu considered as a Debt and also the cost of this proceeding. Below is the breakdown of the claim:

- VT 20'000 – being for principal amount borrowed on 23/03/2023
- VT 30'000 – being for interest on the money borrowed

The Defendant is working for the National Bank of Vanuatu at Emua NBV Branch.

UPON Hearing Mr. Noel Horo Garae Kokokna; the claimant, in the absence of the defendant, the Court is satisfied that:

1. The defendant was served;
2. There is no response or defence filed by the defendant;
3. The defendant did not supply the Court with any valid reason for non-attendance;



THE COURT enters default judgement upon the application made by the claimant, and enters judgment in favour of the claimant as follows:


Principal Amount borrowed	VT 20'000
Endrickson Arubiti	VT 30'000
Cost of proceedings	VT 1'000
Total	VT 51,000

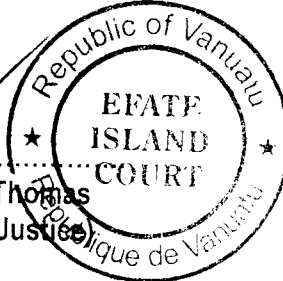
**COURT ORDERS:**


- (1) The Defendant shall pay 51'000 Vt by two instalment payments of 25'000 Vt on 15/10/2023 and 26'000 Vt at 31/10/2023 directly into the Claimant's NBV Bank Account No. 084224001 in the name of Macrina Moltau & Noel Horo Garae Kokona.
- (2) Section 19 of the Island Court Act No. 10 of 1993 makes it an offence where any person fails, without reasonable cause to obey an order of an Island Court. The penalty on conviction is a fine not exceeding VT 24.000 or Imprisonment not exceeding 6 month or both;
- (3) In default of Orders One (1), the Claimant has liberty to apply for enforcement before the Supervising Magistrate of the Efate Island Court;
- (4) Parties have the right to appeal from that judgment to the Magistrate's Court within 30 days from the date of this judgment.

**DATED at Port Vila, this 28<sup>th</sup> September, 2023**

**BY THE COURT**

  
 Justice J. Kaiserei  
 (Member)

  
 Justice F. Thomas  
 (Presiding Justice)

  
 Justice L. Sakita  
 (Member)