## IN THE SUPREME COURT OF THE REPUBLIC OF VANUATU HELD AT PORT VILA

Civil Appeal No. 11 of 1992

(Appellate Jurisdiction)

## BETWEEN : FREDERICK BRYSTAN

<u>Appellant</u>

## AND : SIMON DORSEN

Respondent

## ORDER

Upon hearing Mr Sugden for the Appellant and Mr Silas Hakwa for the Respondent, it is hereby ordered the following :

- 1. That the Decision in Civil Appeal Case No. 11 of 1992 of the Magistrate's Court be set aside and the matter be relisted before the Magistrate's Court for a re-hearing on a date to be fixed.
- 2. That the costs of this Appeal is to be paid by the Respondent and costs to be taxed failing agreement.

Dated at Port Vila this 3rd July 1996.

BY THE COURT LUNABEK VINCENT JUDGE