

A sworn statement of urgency was filed on 7 August 2008. There was no urgency. The Application was listed for hearing on 13 August 2008 and it was heard on that date. The urgent application filed 29 August 2008 is dismissed. There is a misapprehension of the process as to how the Customary Land Tribunal Act 2001 is operating. There is no serious question to be tried. The Supreme Court claim filed in this case by the Claimant on 29 July 2008 is also withdrawn by the Claimant's counsel.

ORDER

1. Urgent Application dismissed.
2. Supreme Court claim withdrawn.
3. The Defendants are entitled to VT1,000 as a reimbursement of their transportation costs to the Court for the hearing of the application.

DATED at Port-Vila this 13th day of August 2008

BY THE COURT

Vincent LUNABEK
Chief Justice

