

**IN THE HIGH COURT OF KIRIBATI  
(BEFORE B. SUTTILL C.)**

HCLA 41/1990

**BETWEEN: RIITE AKURA**

**Appellant**

**AND: TIMEA AKURA**

**Respondent**

**J U D G M E N T**

The applicant is not present today. She has written to us asking us to proceed in her absence.

She was not a party to the proceedings in the court below in which the respondent registered himself and the applicant, who is his sister, on the land Tabonteaba 535/A, after the death of their father. This was C/N 17/86 decided on 30 April 1986. On 1 March 1990 the Chief Justice received a letter from the applicant requesting leave to appeal this case out of time. She gave no reason for the delay.

It is difficult ascertain from this letter what the applicant is complaining of but, whatever it is, it is not for this court.

If she is claiming for rentals not accounted for it is not a matter for this court. She must sue the respondent in the magistrates court.

If she is objecting to the registration of her name and the respondent's name in C/N 17/86 she is well out of time and cannot in any event appeal that decision as she was not a party to the proceedings in which it was made. Again she must sue the respondent in the magistrates court.

Leave to appeal out of time is refused.

  
**Tekaie Tenanora**  
**Magistrate**  
**(23/4/96)**



**Betero Kaitangare**  
**Magistrate**  
**(23/4/96)**