

IN THE SUPREME COURT OF NAURU  
(LAND JURISDICTION)

LAND APPEAL NO. 5/97

BETWEEN : **GABIRI AGIGO & OTHERS**

APPELLANTS

AND : **NAURU LANDS COMMITTEE & OTHERS**

RESPONDENTS

IN COURT BEFORE HIS HONOUR MR. JUSTICE JOHN DOUGLAS DILLON.

DATE: THURSDAY 2 JULY, 1998 AT 2:00 P.M.

For the Appellants: Hon. Anthony D. Audoa

For the Respondents: Mrs. Deo

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**DECISION OF DILLON J.**

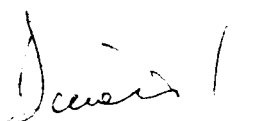
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One of the grounds of appeal is that the Committee adjourned its original hearing but then gave a decision without reconvening the adjourned hearing. This oversight has certainly prejudiced the Appellants and the proceedings must be returned to the Respondent Committee to continue its deliberations and hear the submissions and

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evidence of the Appellants. To enable the Committee to properly consider the evidence of the Appellants and so be able to conscientiously adjudicate upon the issues involved, Counsel agree the following procedure will apply –

- 1) Counsel for the Appellants will prepare a detailed analysis of the Appellants' claim to an interest in this land specifying the source of the land, the genealogy involved; the use and occupation relied upon; the field day or days held etc. etc. In other words, a comprehensive statement upon which the Appellants' rely;
- 2) Those submissions are to be filed not later than 31 August 1998;
- 3) The Lands Committee will convene and advertise a meeting not later than 31 October 1998 to hear submissions from both Counsel.
- 4) The Lands Committee shall issue a decision with reasons not later than 30 November 1998 and arrange for the normal Gazette notice to be published.



**DILLON J.**

2 JULY 1998

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BETWEEN: **GABIRI AGIGO & OTHERS**

- **APPELLANTS**

AND

**NAURU LANDS COMMITTEE & OTHERS**

- **RESPONDENTS**

**HELD**

If the Lands Committees adjourned its original hearing but then gave a decision without reconvening the adjourned hearing, its prejudices the appellants and the proceedings must be returned to the Respondent Committee to continue its deliberation and hear the submissions and evidence of the Appellants.

For the Appellants: **Anthony D. Audoa**

For the Respondents: **Mrs. Deo**

Before - **DILLON. J.**