

IN THE SUPREME COURT OF NAURU

CIVIL ACTION NO. 15/98

BETWEEN : SURANGI N. DEO PLAINTIFF
AND : CHIEF SECRETARY DEFENDANT

CIVIL ACTION NO. 17/98

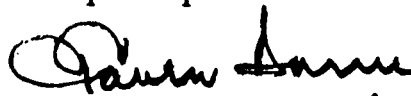
BETWEEN: NIRMALA S. DEO PLAINTIFF
AND : CHIEF SECRETARY & ORS DEFENDANTS

MINUTE OF DONNE, C.J.

As I indicated when these matters came before me on Monday last. I considered I should not preside over the hearing of claim No. 15/98. I had in dealing with the interlocutory injunction in this cause, made findings as to the credibility of the plaintiff in the matter before me. I had also found

that in relation to certain matters in question in the hearing which have criminal connotations she was involved. I also expressed views on the merits of the substantive action unfavourable to the plaintiff. I am satisfied it would be quite wrong for me to deal further in the cause and I disqualify myself from so doing. The trial, if it proceeds, must be held before another Judge.

I have also given consideration as to my presiding in the trial of action 17/98 which concerns substantially the same question as that in the earlier case. While I have no cause to decline to deal with applications on matters of law as I have presently done, I consider for the same reasons as above, I should not embark on a trial on the merits of the action which would involve my considering and finding on its merits the plaintiff's case. I accordingly disqualify myself from further participation in the action 17/98.



CHIEF JUSTICE

11/3/99

CIVIL ACTION NO. 15/98 & 17/98

SURANGI N.DEO - PLAINTIFF

AND

CHIEF SECRETARY - DEFENDANT

MINUTE OF DONNE, CHIEF JUSTICE

Consideration as to Chief Justice continuing to preside in the above case.

DIRECTION OF CHIEF JUSTICE

The trial if it proceeds must be held before another Judge as it would be quite wrong for the Chief Justice to deal further in the cause and disqualifies himself from so doing.