

**IN THE COURT OF APPEAL OF
THE REPUBLIC OF VANUATU**
(Civil Appellate Jurisdiction)

Civil Appeal
Case No. 24/941 COA/CIVA

BETWEEN: EMMA LOISE RUTH MOSES
Appellant

AND: TOARA SURAN JOSHUA
First Respondent

AND: SERAH WILLY, LEIPAKOA DAISY, MOSES
DANIEL, JAMES ROY MATARIKI, ROY SEULE
FRED, HENRY CHARLIE
Second Respondents

Date of Hearing: 08 August 2024

Coram: Hon. Chief Justice V. Lunabek
Hon. Justice J. Mansfield
Hon. Justice R. Young
Hon. Justice D. Aru
Hon. Justice E. P. Goldsbrough
Hon. Justice V. M. Trief

Counsel: M. H. Mala for the Appellant
A. E. Bal for the First and Second Respondents

Date of Judgment: 16 August 2024

ORDERS

1. Appeal allowed;
2. Orders of the Supreme Court made on 26 February 2024 dismissing the claim of the appellants is set aside;
3. Matter remitted to a Judge of the Supreme Court for hearing;
4. No orders as to costs of the appeal.

Dated at Port Vila, this 16th day of August, 2024.

BY THE COURT


Hon. Chief Justice Vincent Lunabek

