

**IN THE MALEKULA ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Criminal Jurisdiction)

Civil
Case No. 18/2827 IC/CIVL

BETWEEN: **SANNICK MELETEKANI**
Claimant

AND: **JEFRISON MERENATO**
Defendant

Date of Hearing: **16 April 2018**

Venue: **Lakatoro Court House**

Before: **Justice Douglas Fadal, Justice Joses Lingi, Justice Patisson Peter**

Clerk: **Collyne Tete Maki**

JUDGMENT

The matter registered before the Island was civil claim filed by Mr Sannick Meltekani originally from Walla Village, Northeast Malekula against the defendant Mr Jefrison Merenato of Walla Small Island, Northeast Malekula.

The application was filed on the 9th day of October 2017, a claim of VT 50,000 towards a cattle being killed when the defendants late father passed away. He stated in court that the agreement was of VT 30,000 and if he takes a long time to reimburse the claimant there will be an additional amount of VT 20,000.

The defendant responded and stated that the agreement for the cattle was VT30, 000 if it were agreed for the amount of VT 50,000 he would not agree in making arrangement with the claimant for the cattle to be killed. He further stated that after the agreement was made he gave VT 20,000 directly to the claimant and later completed the payment of VT 10, 000 last year November 2017.

COURT FINDINGS

1. The defendant stated that if the cattle was priced for VT 50,000 he would not make an agreement with the claimant;
2. The agreement between the claimant and the defendant was for the cattle to be bought for VT 30,000;
3. The defendant had made a complete payment of VT 30,000



4. ***Guided by the Island courts Act CAP 167 section 13 Subsection (a) stated “ In civil proceedings an island court in addition to any other power it may have may make any or a combination of the following orders (a) an order for the payment of money by way of compensation, costs or otherwise***

Upon the findings the court hereby makes the following orders:

ORDERS

1. The defendant to pay the amount of VT 1,000 to the claimant for court fee within one week commencing 16 day of April to 23rd of April 2018;
2. Within 30 days if the defendant FAILED to comply with the orders 1 to 2 the claimant has the right to file an Enforcement before the island court;
3. In accordance to the Island Court ACT CAP 167 section 22 states “ ***Any person aggrieved or not happy by an order or decision of an island court may within 30 days from the date of such orders to appeal to the Magistrate Court “.***



Dated at Lakatoro this 16th day of April 2018

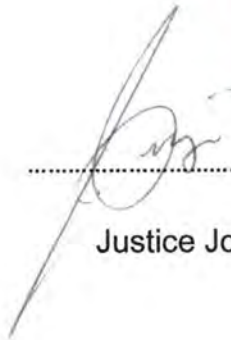
BY THE COURT



Justice Douglas Fadal



Justice Patisson Peter



Justice Joses Lingi