

**IN THE ISLAND COURT (LAND) OF
THE REPUBLIC OF VANUATU –
Lakatoro, Malekula
(Custom Land Jurisdiction)**

Case No. 17/140 IC/CUST

IN THE MATTER OF: Section 45 of Custom Land Management Act No. 33 of 2013

IN THE MATTER OF: Ameliah, Naha and Alahamo Customary Land, Malekula

IN THE MATTER OF: Decision of Leviamp Nakamal, dated 10 March 2016

BETWEEN: Family Kilman
North West Malekula

First Applicant

Family Natnaur
Family Kalnata
Family Tavdey
North West Malekula

Second Applicant

Harry Karma Fare
North West Malekula

Third Applicant

AND: Leviamp Nakamal Meeting
Malekula

First Respondent

AND: Abel Vinbel
Malekula

Second Respondent

Coram:

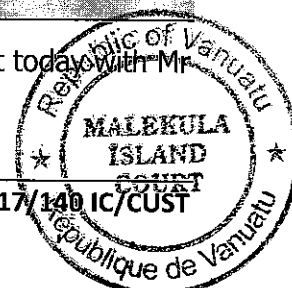
Senior Magistrate B. Kanas Joshua, Chairlady
Justice Douglas Fatdal
Justice Patisson Peter
Justice Joses Lingi
Justice Presila Susurup

Counsels:

Mr E. Nalyal for Family Kilman
Mr E. Molbaleh/Ms A. Sarisets for Family Natnaur, Family Kanata & Family Tavdey
Mr P. Fiuka for Harry Karma Fare
Mr S. Aron, for 1st Respondent
Mr D. Yawha, for 2nd Respondent

MINUTE

1. Mr Edward Nalyal is now acting for the applicants. He appeared in court today with Mr Kalpeau Kilman.



2. Mr Eric Molbaleh and Ms Anna Sarisets appeared in court for the second applicants, and Mr Philip Fiuka appeared in court, with Mr Harry Kama Farea.
3. Mr Sammy Aron appeared for the first respondent, and Mr Daniel Yawha appeared for the second respondent.
4. Mr Yawha has filed an Application for Strike Out and served it on the applicants.
5. Mr Nalyal requested some time to peruse the Application for Strike Out and obtain instructions from his client.
6. The contents in the court file show that the third applicant has not filed any response to the application to strike out. Counsel for the third applicant did not inform the Court on status of their response to the application for Strike Out. (The third applicant had initially filed a separate Application for Review, as Case No. 22/2425. This case is now consolidated with the current matter.)
7. The following are the applications and responses contained in the court file, with the supporting sworn statements:

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|-------------------|--|
| First Applicant | <ul style="list-style-type: none"> - Application for extension of time - Amended Application for Review - Additional Sworn Statement of Kalpeau Kilman in support of Application of Review - Application for leave to appeal out of time |
| Second Applicant | <ul style="list-style-type: none"> - Application for leave to enlarge time to file Application for Review - Urgent Application to Stay or alternatively adjourn the proceeding in the Application for Review - Second Applicants' Reply to Second Respondent's Defence - Family Natnaur, Family Kalnata and Family Tavdey's Response to the Application to Strike Out the Application for Review |
| Third Applicant | <ul style="list-style-type: none"> - Application for enlargement of time to file Application for Review of decision of nakamal |
| First Respondent | <ul style="list-style-type: none"> - First Respondent's Response |
| Second Respondent | <ul style="list-style-type: none"> - Application to Strike Out - Second Respondent's defence to first and second applicant's claim for review |


8. The matter is adjourned to **5th June, 2024**, at **2:00pm** for the hearing of the Application to Strike Out.

Dated in Lakatoro, on this 30th day of May, 2024

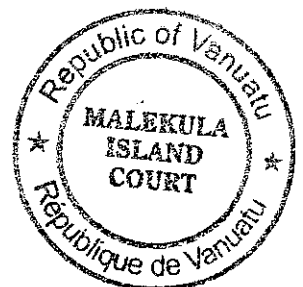
BY THE COURT

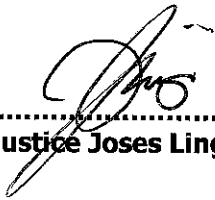


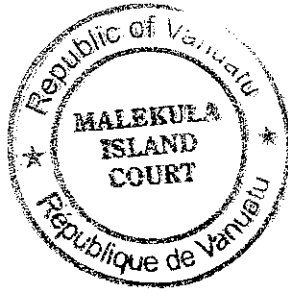
**B. Kanas Joshua (SM)
CHAIRLADY**


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Justice Douglas Fatdal


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Justice Patisson Peter




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Justice Joses Lingi




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Justice Presila Susurup