

**BETWEEN: George Regenvanu**  
Claimant  
**AND: Nalau Siaka**  
Defendant

*Date:* 19 September 2024  
*Before:* Justice V.M. Trief  
*In Attendance:* Claimant – Mr K.T. Tari  
Defendant – Mr R. Rongo

---

**JUDGMENT**

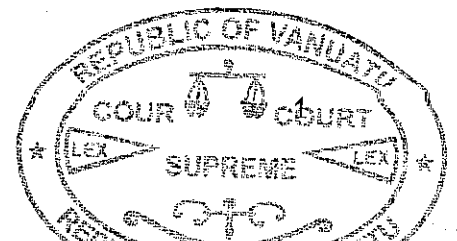
---

A. Introduction

1. The Claimant George Regenvanu filed the Urgent Claim on 2 April 2024 seeking an order for the eviction of the Defendant Nalau Siaka from leasehold title no. 12/0544/008 located at Klems Hill on Efate island, including any members of his family and agents residing with him on the land. A permanent restraining order, damages for trespass and costs are also sought.
2. A Defence was filed on 7 May 2024. Despite opportunity given, no sworn statements have been filed for Mr Siaka. This matter proceeded to, effectively, formal proof of the Claim.

B. Consideration

3. Mr Regenvanu produced in evidence a copy of his lease of leasehold title no. 12/0544/008 registered on 14 May 2019 [Sworn statement of George Regenvanu filed on 2 April 2024 – **Attachment "GR1"**].
4. He also deposed that Mr Siaka is occupying the leased land to date despite demands to vacate.



5. There is clear evidence of Mr Regenvanu's legal entitlement to the land. He is the registered lessee of leasehold title no. 12/0544/008.
6. Mr Siaka occupies the land, and despite being given notices to vacate, has not vacated the property.
7. In the Defence, it was pleaded for Mr Siaka that he has a claim against Mr Regenvanu for employment entitlements, filed in Civil Case No. 861 of 2024. Counsel accepted that that is an independent claim and does not hinder judgment issuing in respect of the Claim the present proceeding.
8. Mr Regenvanu has proved the Claim and is entitled to the relief sought but not damages as he has not adduced evidence to prove the damages sought.

C. Result and Decision

9. Judgment is entered for the Claimant and it is ordered as follows:

- a) The Defendant, his family members and/or agents are to vacate leasehold title no. 12/0544/008, including removing their personal properties leaving the land vacant, **within 3 months from the date of service of this Judgment**;
- b) The Defendant, his family members and/or agents are not to re-enter onto the Claimant's leased land leasehold title no. 12/0544/008; and
- c) The Claimant is entitled to the costs of the proceeding fixed summarily at VT200,000 to be paid within 28 days of service of this Judgment on the Defendant.

D. Enforcement

10. Pursuant to rule 14.37(3) of the *Civil Procedure Rules* ('CPR'), I now schedule an Enforcement Conference **at 12.45pm on 18 October 2024** to ensure the judgment has been executed or for the Defendant to explain how it is intended to comply with this judgment. For that purpose, this judgment and a summons in Form 27 of the CPR must be personally served on the Defendant, and proof of service filed.

**DATED at Port Vila this 19<sup>th</sup> day of September 2024**

**BY THE COURT**

  
Justice Viran Molisa Trief

