

IN THE SUPREME COURT
OF THE REPUBLIC OF VANUATU
(Other Jurisdiction)

Enforcement
Case No. 20/3096 SC/ENFC

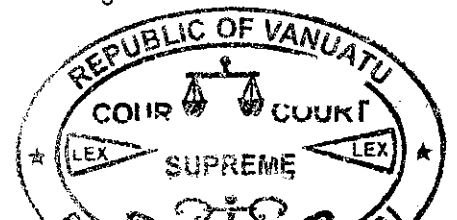
BETWEEN: Jean Marc Buleban
Judgment Creditor as applicant

AND: Anderson Thor
Judgment Debtor as respondent

Coram: Justice Dudley Aru
Counsel: Mr. E. Molbaleh for the Applicant/Judgment Creditor (no-appearance)
Defendant/ Judgment Debtor-no appearance (no-appearance)

DECISION

1. The judgment creditor filed an **urgent application on 2 December 2024** seeking an enforcement conference for the enforcement of a judgment issued in his favour on 8 October 2020. The grounds for making the application were that the respondent has not complied with the Orders of 11 November 2024 and the enforcement warrant for redirection of earnings dated 22 November 2011.
2. Second, that the respondent is suffering from diabetes and says he desperately needs money to sustain his every day living. The application was filed with a sworn statement of Jean Marc Buleban as the judgment creditor. He says the judgement debtor Anderson Thor has not complied with the enforcement warrant and has not paid him any money. Further more he says he needs the money to sustain him as he is suffering from high blood pressure and diabetes. He says he has an infected sore on his right leg and only walks with the help of a walking stick or crutches.
3. At a conference on **11 December 2024**, the applicant was ordered to file and serve an application for substituted service with a sworn statement in support and an application for enforcement warrant for redirection of debt and earnings **by 15 January 2025** and as the matter was said to be urgent both applications were listed for hearing on **20 February at 3.00 pm**.
4. The hearing did not proceed as Counsel, Mr Molbaleh informed the Court that he has not served the urgent application and needs more time to do so. He has also not filed any application for substituted service. The applicant was allowed a further seven days to effect service and the hearing was adjourned to **2.30 pm on 28 February 2025**.
5. On the date of the adjourned hearing, again the hearing did not proceed. Counsel appeared and sought a further 14 days to serve the urgent application. A new hearing date was listed for today **17 March 2025 at 900am**. There was no appearance from either party this morning. No reasons



were given by Mr Molbaleh for his non attendance today despite his assurance to the Court on 28 February 2025.

6. This matter was filed as an urgent application on 2 December 2024. To date the applicant has not complied with previous orders issued to have the matter heard as a matter of urgency. Second, no medical evidence was filed to substantiate the applicant's assertions of his suffering from high blood pressure and diabetes.

Result

7. The application is therefore dismissed and the file and is now closed. No order as to costs.

DATED at Port Vila this 17 day of March, 2025

BY THE COURT

