IN THE HIGH COURT OF KIRIBATI
(BEFORE B SUTTILL C.)

HCLA 123/91

BETWEEN:	**LOUISA MANGKIA**	**Appellant**
AND:	**TATABU TINGANGA**	**Respondent**

JUDGMENT

The appellant was the plaintiff and the respondent was the defendant in BA 467/91. In that case the respondent made over his land to the appellant. The appellant is the daughter of the respondent.

The appellant now seeks to appeal that case on the basis that the respondent has given the land to someone else, one Nei Urite. The respondent says that he has given a different piece of land to Nei Urite.

Whether that is the case or not doesn't matter. The appellant cannot appeal a case where she was successful and the case was decided in her favour.

If she believes that the judgment of the lower court is not being carried out she must apply to that court to enforce it, - not to this court.

The appellant is not present to-day. Several attempts to locate her have failed. However her presence would not add much to the proceedings as that which I have set out earlier herein would still apply.

The appeal is incompetent and is accordingly dismissed.

HIGH COURT OF KIRIBATI

B. SUTTILL
Commissioner
31/1/1996

TEKAIE TENANORA
MAGISTRATE
(31/1/96)

BETERO KAITANGARE
MAGISTRATE
(31/1/96)