

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

HCLA 59/91

BETWEEN: NEI MONE TAKAIO
TATAUA TENENE **Appellants**

AND: NEI TERIBWEBWE TAKABWEBWE **Respondent**

J U D G M E N T

Both the appellant and respondent were present in court.

We had concluded that, since the case record could not be found, we would regretfully have to inform the parties that they would have to commence their litigation afresh in the lower court.

We were surprised when both parties advised us that there had been no litigation in the lower court.

The notice of appeal is very impressive having been filed by a 'bush' lawyer. However it relates to non existent proceedings save that he may have confused the names of the parties involved. The parties before us were as bewildered as we were at their presence in court.

The appeal is clearly incompetent and is dismissed.



B. SUTTILL
Commissioner
31/1/1996



TEKAIE TENANORA
MAGISTRATE
(31/1/96)



BETERO KAITANGARE
MAGISTRATE
(31/1/96)