

**IN THE SUPREME COURT OF NAURU**

**Civil Action no. 28/2001**

**Between Darrel Gadabu Plaintiff**  
**And Nauru Lands Committee First Defendant**  
**Ruby Thoma and others Second Defendant**

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**ORDER**

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Upon hearing the parties with regard to the consequences of the judgment delivered on 26<sup>th</sup> November 2002 in civil action No 28/2001, Darrel Gadabu v. Nauru Lands Committee and others.

I order that,

1. On the basis that the Plaintiff Darrel Gadabu, is a reversionary beneficiary in the estate of Japhet Dediya deceased, he be listed as beneficiary on an equal basis with each of the other named beneficiaries for
  - i. Anurung, district of Anibare Portion No 207
  - ii. Anuer, district of Anibare Portion No 224
2. The Plaintiff is not to participate in or recover any cash royalties already distributed to the currently named beneficiaries in regard to the above named two lands.
3. The amounts already paid in to the Ronwan Capital accounts by way of royalties to the listed beneficiaries of the two lands above, both of which

lands were mined in 1988 – 89, are to be redistributed to accommodate the equal share of the further beneficiary, the Plaintiff, Darrel Gadabu.

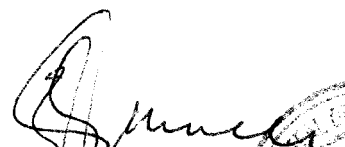
4. This order be served on the Nauru Phosphate Royalties Trust, drawing the attention of the said Trust to paragraph 3 of this Order and the requirement of this Court that the change as described in paragraph 3 be carried out.

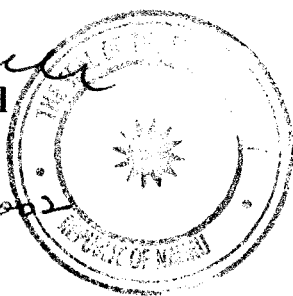
5. The first named defendant, the Nauru Lands Committee, makes the required amendments to its records, informs the Director of Lands and Survey and publishes the changes to the beneficiaries of the lands described in para. 1 above by way of determination in the Government Gazette making it clear that the publication arises from the decision of the Supreme Court in civil action No. 28/2001.

6. The Plaintiff has no entitlement to the real property of the estate of Lilac Dediya deceased apart from the interest in reversion in the estate of Japhet Dediya deceased.

7. Land Appeal No. 3/2000 is hereby discontinued.

8. There be no order as to costs either this action or Land Appeal No. 3/2000.

  
**Barry Connell**  
**Chief Justice**  
*17 June 2002*



Distribution

Parties to action  
Director of Lands and Survey  
Chairman, Nauru Phosphate Royalties Trust  
Secretary, Nauru Phosphate Royalties Trust