



IN THE SUPREME COURT OF NAURU

**AT YAREN DISTRICT
[CIVIL JURISDICTION]**

Civil Suit No 32/2020

BETWEEN

ZITA CECIL

Plaintiff

and

ANN-LOUISE PENANI

Defendant

BEFORE: Chief Justice Filimone Jitoko

Date of Hearing: 9 September 2020

Date of Decision: 9 September 2020

Case may be cited as: *Cecil and Penani*

APPEARANCES:

Counsel for the Plaintiff: A. Amwano

Counsel for the Defendant:

EX-PARTE INJUNCTION

INTRODUCTION

1. The Court having heard Aloysius Amwano, counsel for the applicant/plaintiff in this ex-parte summons for an interim injunction to restrain the Respondent/Defendant Ann-Louise Penani, resident of the house on Land Portion 356, Yaren District, as well as her agents and/or builders, from dumping rubbish or otherwise encroaching on the Land

Portion 68, Yaren District, and House 35C the residence of the applicant and the Court having being satisfied of the merit and the urgency of the application, orders as follows:

ORDERS

1. That the Respondent/ Defendant, Ann-Louise Penani her agents and/or builders, residents and occupants of the house and Land Portion 356, Yaren District are hereby restrained from dumping rubbish across their boundary to Land Portion 68, Yaren District and furthermore restrained from encroaching onto Portion 68, by any means whatsoever.
2. That the Respondent/Defendant her agents and/or builders, are further restrained from interfering with survey pegs and any gadget or device placed to delineate the boundary line between Land Portions 68 and 356.
3. The Applicant/Plaintiff to serve the Order on the Respondent/Defendant and file affidavit of service thereafter.
4. Costs in the Cause.
5. Matter is adjourned to 22 September, 2020 at 10.00am


Filimone Jitoko
Chief Justice

