

(EFATE AELAN)

BITWIN: FAMILY TOKTOK KALWATMAN,
Man blong toktok: Mr. Kalter Kalwatman

MO: Orijinol kleman

1. NAFLAK NAWI NATONGRAU Man blong toktok: Fes kaonta-kleman,	10. FAMILY KALSA LEEL Man blong toktok: Namba 10 kaonta kleman
2. FAMILY NAWITA Man blong toktok: Sekon kaonta-kleman	11. FAMILY SAKLA ANDRE KALPOI Man blong toktok Namba 11 kaonta-kleman
3. FAMILY KALOTITI KALOTRIP LEEL KALONTAN Man blong toktok: (?) Namba 3 kaonta-kleman,	12. FAMILY TONGAIA KALPUKAI Man blong toktok: Namba 12 kaonta-kleman
4. FAMILY WIMAK Man blong toktok: Namba 4 kaonta-kleman	13. FAMILY HENDEN KALSAKAU Man blong toktok: Namba 13 Kaonta-kleman
5. MATARAU TEFEKE (IFIRA) Man blong toktok: Namba 5 kaonta-kleman	14. CHIEF MANTOI KALSAKAU III Man blong toktok: Namba 14 kaonta-kleman
6. FAMILY BAKOKOTO Man blong toktok: Namba 6 kaonta-kleman	15. FAMILKALAPRAM TUEKOT Man blong toktok: Namba 15 kaonta-kleman
7. FAMILY ABEL NAAR & DESENDEN Man blong toktok: Namba 7 kaonta-kleman	16. FAMILY KALOTITI KALTAPANG Man blong toktok. Namba 16 kaonta-kleman
8. FAMILY JOHN KALOMTAK Man blong toktok: Namba 8 kaonta-kleman	17. FAMILY BAKOKOTO RUSSEL
9. FAMILY KALPOI KALONTA Man blong toktok: Namba 9 kaonta-kleman	18. FAMILY NAREO LANGOLLE

**STRIKE OUT MO DECISION BLONG KOT LONG APPLICATION
FAMILY HENDEN KALSAKAU**

Long 25 September 2008, taem blong continu wetem trial long kes, Kot hemi callem Family Henden Kalsakau blong presentem tufalla last witness blong olketa, Kot hemi findem out se counter-claimant ia hemi failed blong appear without good reasons.

Kot hemi hearem application blong Original Claimant blong adjournem case ia kasem next day; however Original claimant hemi no givim good reason blong mekem application olsem.

Bench hemi notem disrespect blong some long olketa counter-claimants since case hemi start mo luk olsem olketa counter claimants oli no serious about claim blong olketa olsem se claim blong olketa hemi Vexatious. Oli chose blong leavim Kot mo attend long other activities we oli think se hemi more important.

So Kot hemi decide blong strikem out counter claim blong party ia under order 17 NON-APPEARANCE OF PLAINTIFF, rule 2 we italem se:

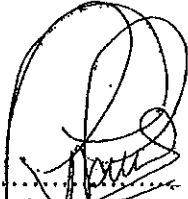
"If the plaintiff does not appear when called but the defendant or any one of them does, the court shall, unless it sees good reason to the contrary, strike out the proceedings (except as to any counterclaim by the defendant) and make such order as to costs in favour of the defendant appearing as seems to it to be just"

Under Order 17 Rule 6 we italem se: "RELISTING OF CAUSE STRUCK OUT
Any cause struck out may, by leave of the court, be relisted for hearing on such terms as to the court may seem fit".

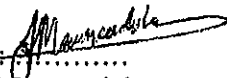
Long Monday 29 Island Court Clerk hemi informem Kot se igat 3 aplikensen blong leave blog re-listim case blong Counter-claimant ia.

After we Kot hemi harem parti ia Kot hemi re-listim matter blong hem blong deal wetem. Reason, hemi from we Kot ia hemi traem best blong hem blong entertainem every possible counter claimants we oli wandem challengem original claimant so that Counter claimants hemi given the chance blong cross-examinem every single and minor claim.

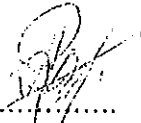
Orda ia Kot hemi mekem long 29 September 2008 long Port Vila, Efate.


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Senior Magistrate
Rita Bill Naviti

Justices:


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Meameadola


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Eddy Karis


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Marongoe