

IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU

CIVIL CASE NO: 76 OF 2010

(CIVIL JURISDICTION)

IN THE MATTER of a Mortgage dated 31
December 2007 over leasehold title no.
12/0913/256

IN THE MATTER of the Land Leases Act
[CAP.163], as amended

BETWEEN: WESTPAC BANKING CORPORATION, an
overseas Bank registered in
Vanuatu and having its registered
office situate at Westpac House,
Lini Highway, Port Vila, Efate in
the Republic of Vanuatu
Claimant

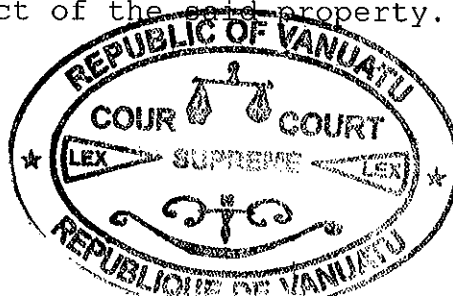
Legal Counsel – Mark Hurley
GEORGE VASARIS & CO
Claimant's Lawyer

AND: GREGORY PILKINGTON of P O Box
3383, Port Vila, Efate in the
Republic of Vanuatu
Defendant

ORDERS

AFTER CONSIDERING the evidence in support of the Claim, IT IS
HEREBY ORDERED THAT:

1. The Claimant, as Mortgagee, be empowered to sell and transfer the leasehold property contained and described in Title Number 12/0913/256, by such means and in such manner as it shall deem fit.
2. That pending such sale and transfer the Claimant, as Mortgagee, or an agent or agents duly authorised by it in writing, be empowered to enter on the said leasehold property and act in all respects in the place and on behalf of the proprietor of the lease, and to apply in reduction of the monies due and owing to the Claimant all or any rent received in respect of the said property.



3. That the purchase monies to arise from the sale and transfer of the said leasehold property and the monies received (if any) by the Claimant pending such sale and transfer shall be applied:-
- (a) Firstly, in payment of the expenses occasioned by the and transfer or going into and remaining in possession (as the case may be), including the costs of this application;
 - (b) Secondly, in payment of the moneys then due and owing to the Plaintiff as Mortgagee;
 - (c) Thirdly, in payment of subsequent registered mortgages or encumbrances (if any) in order of their priority;
 - (d) Fourthly, the surplus (if any) shall be paid into this Honourable Court pending further order.
4. That the Defendant shall pay the costs of and incidental to this suit, to be taxed if not agreed.

DATED at Port Vila the 19th day of July 2010.

BY ORDER OF THE COURT

