



## NATIONAL COURT OF JUSTICE KUNDIAWA

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Sitting Date: 24<sup>th</sup> September, 2018

Judge : Justice Daniel Liosi  
Associate: Geita Geita

# SUMMARY DETERMINATION MATTERS

## PART A.WRIT OF SUMMONS

NO	CASE NUMBER	PARTIES	COUNSELS ON RECORD	STATUS
1	WS 285 OF 2001	Nicholas Angai -vs- Jeffery Kambania Henry Ruin & 2 Ors	In Person  Solicitor General	Dormant Matter. Matter referred to SD list on 18/07/2016.
2	WS 252 OF 2004	Ps Paul Agua -vs- Gaspar Sorea Provincial Administration & 2 Ors	In Person	Dormant Matter. Matter referred to SD list on 18/07/2016.
3	WS 32 OF 2005	Bospo Waine Dingongo & Ors -vs- Sgt Zanzil Nanu & 4 Ors	Wal & Co Lawyers  Solicitor General	Matter referred to SD list on 18/06/2018.
4	WS 441 OF 2011	Tala Aina Gabriel -vs- Jeffery Uapipi Mathew Siune Junior Digicel PNG Ltd	Public Solicitor  John Munnall Lawyers	Matter referred to SD list on 21/05/2018.
5	WS 1218 OF 2012	Greenland 49 Limited -vs- John Yegiora	Punau & Co Lawyers  Public Solicitor	No appearances by both parties. Matter adj to registry on 15/08/2016.

6	WS 113 OF 2013	John Kaupa -vs- Bal Numapo Kamtai District Administration	In Person	No Activity thereafter on File since filing of the Writ of Summons on 27/02/2013.
7	WS 192 OF 2013	Mary Noipo -vs- James Guma Koane Kerowagi District Administration	In Person  Kombri & Associates	No Activity on file thereafter by both parties. Last doc on file is Doc#4, Affidavit of Service by Kombri filed on 27/10/2014.
8.	WS 899 OF 2013	George Tapo -vs- S/C Vincent Poki S/C Jonathan Kariam & 3 Ors	Tonge Lawyers  Solicitor General	No appearances by plaintiff for various call-overs. Matter referred to SD list on 21/05/2018.
9.	WS 1309 OF 2013	John Sine -vs- Jeffery Kama SKY Development Corporation Ltd	In Person	No Activity on File. Last doc filed is Doc#2, Affidavit of Service by Plaintiff filed on 18/11/13.
10.	WS 1319 OF 2013	Nondugl Tumbo Limited -vs- Simbu Yomba Mountain Coffee & 1 Ors	In Person	No Activity thereafter on File since filing of the Writ of Summons on 18/11/2013.
11.	WS 1403 OF 2013	Michael Coonmer -vs- Raymond Zamua	Public Solicitor  In Person	Motion by Plaintiff dated 09/07/14, for contempt charges withdrawn on 19/10/16 as he has difficulty in effecting service. No activity thereafter.
12.	WS 57 OF 2014	William Yambo -vs- John Boge Mark Philip & 2 ors	In Person	No Activity on File since filing of the Writ of summons & Affidavit of Service. Last doc on file is doc#3 Affidavit of Service filed on 28/11/16.

13.	WS 240 OF 2014	James Kimin Pikip -vs- Nathan Koti	In Person	No activity on file. Last doc on file is Doc#3, Affidavit of Service by Plaintiff filed on 12/01/2015.No docs filed thereafter.
14.	WS 319 OF 2014	Ps John Kamane -vs- Amos Dakma David Werek & State	In Person	No Activity on File thereafter since filing of the Writ of Summons on 08/04/2014.
15.	WS 520 OF 2014	Osec One Sun Engineering & Construction Ltd -vs- Kundiawa General Hospital Board Mathew Kaluvia & 3 Ors	Tumun Kuma Lawyers  Kopunye Lawyers Solicitor General	No Activity of plaintiff. Matter referred to SD list on 23/05/2018.
16.	WS 679 OF 2014	Paul Ulka Yomba Kembra Finance -vs- Tonzi Aure & 2 Ors	In Person  Jerry Tonge Lawyers	Matter adj to registry on 15/08/2016 to sort out in-house matters.
17.	WS 680 OF 2014	James Kops -vs- Raymond Zamua Worresi Brothers Ltd	In Person	No Activity thereafter on File since filing of the Writ of Summons on 09/07/2014.
18.	WS 835 OF 2014	Finlom Trading -vs- Hon Robert Ganim & 2 Ors	In Person  In Person	No Activity on File thereafter since filing of the Affidavit of service of Writ of Summons filed on 02/03/16.
19.	WS 866 OF 2014	William Ugo -vs- Billy Gigmai Kumul Construction	Warner Shand Lawyers	No activity thereafter on file since filing of the Writ of Summons on 31/07/2014.

20.	WS 867 OF 2014	James Wena -vs- Spie Capag PNG Ltd	Warner Shand  In Person	No appearances by both parties. Matter adj to registry on 17/02/2016.
21.	WS 906 OF 2014	Francisca Moiwo Olmi Guest House -vs- Simbu Provincial Administrator & 2 Ors	Warner Shand Lawyers	No Activity on File. Last doc filed is Doc#2, Affidavit of Service filed by plaintiff on 03/10/2014.
22.	WS 990 OF 2014	Perry Degemba -vs- Kaman Denge & 2 Ors	Public Solicitor  Themis Lawyers	Matter is referred to SD list on 18/06/18.
23.	WS 1234 OF 2014	Ps John Kunma -vs- Araba Guna	Public Solicitor	No Activity on File. Last doc on file is Doc#3, Affidavit of Search by plaintiff filed on 12/12/14.
24.	WS 1362 OF 2014	Robert Kiak -vs- Tangil Okuk Dilu Okuk Kalis Okuk	In Person	No Activity thereafter on File since filing of the Writ of Summons on 03/11/2014.
25.	WS 1400 OF 2014	Alex Komora -vs- William Seneka-SPM Nerrie Elikam The State	Public Solicitor  Solicitor General	Matter idle for some time. Matter referred to SD list on 21/05/2018.
26.	WS 1402 OF 2014	Lawerence Yaopa -vs- SKY development Corporation Ltd	In Person	No Activity on File since filing of the Writ of Summons on 06/11/2014.
27.	WS 1403 OF 2014	Margaret Warip -vs- Jim Baba Jim Security Service	Tumun Kuma Lawyers  In Person	Matter adjourned to registry on 16/05/2016.

28.	WS 1413 OF 2014	Mann & Linda Kurupo -vs- Kumo Danga Hon Noah Kool & 1 Ors	In Person  SPG Legal Services Unit	No Activity on File by both parties. Last doc on file is Doc#3, Defence filed on 23/03/15.No docs filed thereafter.
29.	WS 22 OF 2015	Clement Kiage -vs- David Kunumbom & 2 Ors	Public Solicitor	No Activity on file. Last doc on file is Doc#2, Affidavit in Support filed by Plaintiff on 12/03/15.
30.	WS 23 OF 2015	Oscar Philip -vs- Spiecapag Niugini Ltd Transwonderland	Warner Shand-Kwda  Dawidi Lawyers	Second defendant removed as party. No appearance by Plaintiff & First Defendant.
31.	WS 285 OF 2015	Six K Coffee Limited -vs- Sky Development Corporation	In Person  Sino & Co Lawyers	No appearance of Plaintiff for various Call-Overs. Matter referred to SD list on 23/05/2018.
32.	WS 286 OF 2015	Six K Coffee Ltd -vs- Raymond Zamua Worresi Brothers Engineering	In Person  Kuman Lawyers	No appearance of Plaintiff for various call-overs. Matter adj to registry on 15/08/2016.
33	WS 362 OF 2015	Maggie Ambane -vs- John Ambane Nancy Penden	In Person	No activity on file since filing of Writ of Summons on 02/04/2015.
34.	WS 513 OF 2015	Jimm Hewani -vs- Magin Kawage Saina Magin	In Person	No appearance by both parties. Matter adj to registry on 17/02/2016

35.	WS 582 OF 2015	Kaiglo Nick -vs- Paul Siwi Jeffery Kaman & 2 Ors	Horizon Lawyers  Tonge Lawyers	No activity by both parties. Last doc on file is doc#7 Notice of change of lawyers by Horizon lawyers filed on 20/06/2016.
36.	WS 636 OF 2015	Airport Stationary Ltd -vs- James Kai Apakure Mogia Gumine Secondary School	In Person	No appearance by both parties. Matter adjourned to registry on 17/02/2016.
37.	WS 1084 OF 2015	Ps Waim Dama Komba & 52 Ors -vs- John Wamil Gull Hon Kerenga Kua 1 Ors	In Person	No activity on file since filing of Writ & Affidavit of Service by plaintiffs on 19/01/2016.
38.	WS 1096 OF 2015	Erick Baurom -vs- Peter Bal Konia	In Person	No activity thereafter on file since filing of Writ of Summons on 12/08/2015.
39.	WS 1111 OF 2015	Peter Wawe -Vs- District Manager Gumine Andrew Kia & 2 Ors	In Person	No Activity thereafter since filing of Writ of Summons on 14/08/15.
40.	WS 1527 OF 2015	Mrs Rachael Kaupa -vs- MVIL	In Person  MVIL In House Lawyer	No activity by both parties. Last doc on file is Doc#4 Affidavit of Service by Plaintiff filed on 06/04/16.
41.	WS 1564 OF 2015	Robert Borori -vs- Philip Launa The State	In Person	No activity thereafter on file since filing of Writ of Summons.
42.	WS 1718 OF 2015	Joe Elizah Koim -vs- Lucas Youan Lorma Construction Ltd	In person	No Activity thereafter on File since Filing of Writ of Summons on 02/12/2015.

43.	WS 1804 OF 2015	Endu Woodworks & Furniture -vs- Joe Kunda Naur Mathew Kaluvia & 2 Ors	Public Solicitor  Themis Lawyers Kopunye Lawyers	No Activity of plaintiff. Matter referred to SD list on 21/05/2018.
44.	WS 01 OF 2016	Bob William Kamane -vs- SGT Daniel Misel The State	In Person  Solicitor General	No Activity on file by both parties. Last doc on file is Doc#10, Notice of Intention to Defend filed by Sol Gen on 20/06/16.
45.	WS 04 OF 2016	Dimbin Kawage -vs- Sam Yuants	In Person  Tumun Kuma Lawyers	Parties not in court for various call-overs. Matter referred to SD list on 21/05/2018.
46.	WS 20 OF 2016	Andrew Kia -vs- Moses Gari Hon Nick Kuman & 1 Ors	In Person  Kongri Lawyers	No Activity on file by both parties. Last doc on file is Doc#3, Defence by Kongri lawyers filed on 15/06/16.
47.	WS 23 OF 2016	Taisi Fukatine & 337 Ors -vs- Augustine Wampe Tom Kulunga & 1 Ors	Public Solicitor	No activity thereafter on file since filing of the Writ of Summons on 28/01/2016.
48.	WS 233 OF 2016	Michael B.Coonmer -vs- Hon Noah Kool Thomas Tumun & SPG	In Person  SPG Legal Services Unit	No appearances by both parties. Matter adjourned to registry on 22/11/2016.
49.	WS 235 OF 2016	Michael B.Coonmer -vs- Komane Kau John Siune SSY District Admin	In Person	No activity thereafter on file since filing of the Writ of Summons on 21/03/2016.
50.	WS 354 OF 2016	Mrs Jenny Wal -vs- Mr Tiagoba Limbia Karamui Nomane Dist & 2 Ors	In Person	No Activity thereafter on file since filing of the Writ of Summons 25/04/2016.

51.	WS 564 OF 2016	Yayonga Diri Bal -vs- Joe Teine Kama Joe Kunda Naur & 2 Ors	In Person  SPG Legal Services Unit	Matter adjourned to registry on 22/11/2016.No activity thereafter
52.	WS 652 OF 2016	Assembly of God Church -vs- Evangelical Brotherhood Church	Sino & Co Lawyers	No Activity on file since filing of the Writ of Summons on 21/06/2016.
53.	WS 664 OF 2016	Simon Irai Cecelia Irai -vs- MVIL	Konigi Lawyers  Warner Shand Lawyers	No appearances by parties. Matter referred to SD list on 21/05/2018.
54.	WS 1184 OF 2016	Jerry Lus -vs- Mazuc Rubiang Joe Kunda Naur & 2 Ors	Public Solicitor  Themis Lawyers	Matter is referred to SD List on 18/06/2018.
55.	WS 1251 OF 2016	Erwin Us -vs- Betty Kaime	Kuma Lawyers  PM Dowa Lawyers	No activity of plaintiff & defendants since 2016.Last document on file is Doc#4 Notice of change of lawyers filed by PL on 25/06/2018.
56.	WS 1389 OF 2016	SGB Trading -vs Niki & Associates Limbia Tiagoba & 2 Ors	In Person  SPG Legal Services Unit	No appearances by parties. Matter referred to SD list on 21/05/2018.
57.	WS 1392 OF 2016	Henry Silkopi -vs- Ben Gunua Mathew Kaupa & 4 Ors	In Person	No activity on File since filing of Writ of Summons on 16/10/16.
58.	WS 1461 OF 2016	350 Limited -vs- Kamkinde Computer Services	In Person	No activity thereafter on File since filing of Writ of Summons on 11/11/2016.

59.	WS 1462 OF 2016	350 Limited -vs- Yayonga Bal Moses Gari & 2 Ors	In Person	No activity thereafter on File since filing of Writ of Summons on 11/11/2016.
60.	WS 1463 OF 2016	350 Limited -vs- Yayonga Bal Moses Gari & 2 Ors	In Person	No activity thereafter on File since filing of Writ of Summons on 11/11/2016.
61.	WS 1495 OF 2016	Julie Kiringi Beli -vs- KUJV Limited	Public Solicitor  In Person	No activity on File by parties. Last doc on file is doc#4 Notice of ceasing to act by defendant counsel filed on 29/09/2017
62.	WS 1589 OF 2016	Kepi Gene -vs- Captain Joe Rais	Public Solicitor	No activity on file. Last doc on file is doc# 2 Affidavit of service by plaintiff filed on 19/02/2017.

## **PART B: ORIGINATING SUMMONS**

NO	CASE NUMBER	PARTIES	COUNSELS ON RECORD	STATUS
1.	OS 307 OF 2013	Richie Laiyo Kule Laiyo & 2 Ors -vs- Barrick Niugini Limited	In Person  Barrick(PNG) Ltd In-House Lawyer	No Activity on File by both parties. Last doc on file is Doc#2 Notice of intention to defend filed by Defs lawyer on 01/10/2013.
2	OS 553 OF 2014	Simbu Provincial Government -vs- Raymond Zamua Worresi Brothers Engineering Ltd	SPG Legal Services Unit	No Activity on File thereafter after OS proceedings have been filed on 14/08/2014.

3.	OS 617 OF 2014	Martha Kaiun -vs- Kau Komane & 11 other 11 Presidents	In Person	No activity by plaintiff. Last doc on file is Doc#7, Affidavit in support of Ceasing to Act by Plaintiff Counsel filed on 13/12/16.No docs filed thereafter.
4.	OS 738 OF 2014	Francis Wombai & On behalf of 40 Ors -vs- Joe Karwar Kawage	Public Solicitor  Warner Shand Lawyers	No Appearances. Matter is adjourned to Registry on 17/02/2016.
5.	OS 753 OF 2014	Fr Simon Kewande Mathew Kaluvia & 1 Ors -vs- David Herman Tambagle & 3 Ors	SPG Legal Services Unit  Tumun Kuma Lawyers	No Appearances. Matter is adjourned to Registry on 16/05/2016.
6.	OS 860 OF 2014	Jerry Drill & Blast Services -vs- Mai Dop, Mathew Kuruwaia & 1 Ors	Public Solicitor  John Munnall Lawyers	No appearances. Matter adjourned to Registry on 17/02/2016.
7.	OS 513 OF 2015	Jimm Hewani -vs- Magin Kawage Saina Magin		No appearances by both parties. Matter adjourned to Registry on 17/02/2016.
8.	OS 327 OF 2016	Lopi Kinapa -vs- Une Hankai Longman Sipu & 1 Ors	In Person  In Person	No appearances. Matter adjourned to Registry on 23/11/2016.
9.	OS 401 OF 2016	Eric Yawas -vs- Luke Panguma	Tonge Lawyers	No activity on file since filing of OS proceedings on 01/07/16.

10.	OS 529 OF 2016	Marcus Kupu -vs- The State	Public Solicitor	No activity on file since filing of OS proceedings on 19/08/2016.
11.	OS 567 OF 2016	Hon Wera Mori SGT Timothy Simbia Inspector Albert Beli -vs- SGT Mugua Kend & 3 Ors	Napu & Co Lawyers	No Activity thereafter on File since filing of OS proceedings on 02/09/16.
12.	OS 865 OF 2016	Dorothy Kawage -vs- Peter Gagma	Public Solicitor  In Person	No appearance by both parties. Matter adjourned to registry on 09/06/2017.

## **PART C: JUDICIAL REVIEW**

NO	CASE NUMBER	PARTIES	COUNSELS ON RECORD	STATUS
1.	OS(JR) 781 OF 2014	David Mini Sipa -vs- Seri William Seneka Armba Guna & 3 Ors	Kombri & Associates  Public Solicitor Solicitor General	No appearances by both parties. Matter is adjourned to registry on 15/08/2016.
2.	OS(JR) 156 OF 2015	Dr Joe Ande -vs- Jennifer Leo Patrick Baiwan & 2 Ors	Warner Shand-Hagen  Solicitor General	No appearance by PL counsel for several call-overs. Matter adj to registry on 22/06/2016.
3.	OS(JR) 204 OF 2016	Maxi Mondo -vs- Limbia Tiagoba & 1 Ors	Horizon Lawyers  Themis Lawyers	No appearances by parties. Matter referred to SD list on 21/05/2018.

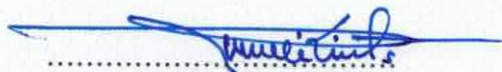
## PART D: HUMAN RIGHTS APPLICATION

NO	CASE NUMBER	PARTIES	COUNSELS ON RECORD	STATUS
1	HRA 07 OF 2014	Michael Bex -vs- The State	Public Solicitor  Solicitor General	Matter adjourned to registry on 15/08/2016.

## PART D: SUMMARY TABLE

YEARS	WS	OS	HRA	JR	TOTAL
2001	1				1
2004	1				1
2005	1				1
2011	1				1
2012	1				1
2013	6	1			7
2014	17	5	1	1	24
2015	15	1		1	17
2016	20	5		1	26
TOTAL	62	12	1	3	78

Dated this <sup>22<sup>ND</sup></sup>.....Day of August, 2018.



Philex B.Kints  
Assistant Registrar