



PAPUA NEW GUINEA

# SUPREME COURT OF JUSTICE

AT WAIGANI

**SUPREME COURT SITTINGS LIST FOR THE MONTH OF JUNE 2022**

**Commencing 27<sup>th</sup> JUNE to 01<sup>st</sup> JULY 2022**

**Issued After:** Directions on [14<sup>th</sup> March 2022](#); Status Conference on [Amended Friday 17<sup>th</sup> June 2022 \(update: 24<sup>th</sup> June 2022 at 4PM\)](#)

**Issued under:** SC Listings Rules 2012, O13 r12 (1)

**Listings Judges:** Cannings J, Makail J & Hartshorn J

**Associate:** Charles Kovera, Wari Kila & Fred Silas

## WAIGANI JUDGES

Judge	Availability	Judge	Availability
Salika, CJ		Makail, J	
Kandakasi, DCJ	<a href="#">On Leave</a>	Collier, J	
Gavara-Nanu, J		Logan, J	
Batari, J		Shepherd, J	<a href="#">Excuse from SC by CJ</a>
Mogish, J		Anis, J	
Cannings, J		Dingake, J	
David, J		Berrigan, J	<a href="#">On Compassionate</a>
Hartshorn, J		Miviri, J	<a href="#">Outstanding cases-Goroka</a>

## PROVINCIAL JUDGES

WAIGANI SC Sittings		MADANG SC Sittings	WEWAK SC Sittings
Toliken J	Narokobi J	Manuhu J	Yagi J
Bona J	Dowa J	Kariko J	Geita J
Pitpit J		Murray J	Polume-Kiele J
Gora J		Kangwia J	Auka J
Kaumi J		Numapo J	Liosi J

<b>COURT 1 MONDAY</b> <b>DATE: 27<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Salika CJ Makail J Collier J</b>	<b>CORAM</b>	<b>Salika CJ Makail J Collier J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 1</b>	Sukiri investment Limited vs. Papua New Guinea Forest Authority, Benjamin Samson-Secretary Department of Lands & Physical Planning, Sam Wange-Chairman National Land Board Department of Lans & Physical Planning & The Independent State of Papua New Guinea  <b>SCM 66 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Substantive Appeal</i>	<b>CASE 2</b>	Min Eremuge, Philip Aure, Theresa Kotio, Enos Taubona, Helen Inaru, Charlie Keafae, Sama Suguya & Anotn Karo The 8 terminated employees of Eastern Highlands Provincial Health Authority vs. Dr Joseph Apa, Eastern Highlands Provincial Health Authority & The Independent State of Papua New Guinea  <b>SCM 64 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Substantive Appeal</i>

<b>COURT 2 MONDAY</b> <b>DATE: 27<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Batari J Dingake J Gora J</b>	<b>CORAM</b>	<b>Batari J Dingake J Gora J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 3</b>	Hon. Westley Nikunji vs. Wilson Ten  <b>SCA 59 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Substantive appeal</i>	<b>CASE 4</b>	Isaac Kuno on behalf of himself and 32 Other Plaintiffs, whose names appear in the schedule attached to the back of the Originating Summons vs. Clement Michael Ors  <b>SCM 2 of 2020 (CDS)</b> (Appeal from Thompson J)  <i>Summary determination</i>

<b>COURT 3 MONDAY</b> <b>DATE: 27<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Mogish J Bona J Kaumi J</b>	<b>CORAM</b>	<b>Mogish J Bona J Kaumi J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 5</b>	Roslyn James vs. The State  <b>SCREV 13 of 2020</b> (Appeal from Manuhu J)  <i>Hearing on Review of sentence</i>	<b>CASE 6</b>	Evelyn Steven vs. The State  <b>SCRA 30 of 2020</b> (Appeal from Koeget J)  <i>Hearing of Appeal against conviction and sentence</i>

<b>COURT 1 TUESDAY</b> <b>DATE: 28<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Hartshorn J</b> <b>Pitpit J</b> <b>Gora J</b>	<b>CORAM</b>	<b>Cannings J</b> <b>Makail J</b> <b>Pitpit J</b>
<b>TIME</b>	<b>9:30am to 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 7</b>	Michael Boki vs. Bernard Kapit city Manager-NCD, National Capital District Commission & the Independent State of Papua New Guinea  <b>SCM 47 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Substantive Appeal</i>	<b>CASE 8</b>	Equiplant Hire Limited -vs- Chris Koma Dingi  <b>SCREV 36 of 2018</b> (Appel from Cannings J)  <i>Substantive Review</i>

<b>COURT 2 TUESDAY</b> <b>DATE: 28<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Makail J</b> <b>Collier J</b> <b>Narokobi J</b>	<b>CORAM</b>	<b>Hartshorn J</b> <b>Kaumi J</b> <b>Dowa J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 9</b>	National Executive Council, Robert Alphonse Kaiyun, The Independent State of Papua New Guinea & Fly River Provincial Government vs. Aquila Sampson  <b>SCM 2 of 2022 (IECMS)</b> (Appeal from Miviri J)  <i>Respondent's Objection to Competency</i>	<b>CASE 10</b>	The Girl Guides association of PNG & Hekure Franck, Rachael Gware & Ors vs. Mary Kamang, Emily David, Lucy Daniel & Baia Foili  <b>SCA 87 of 2020 (IECMS)</b> (Appeal from Kandakasi DCJJ)  <i>Hearing of Respondent's application to dismiss for want of prosecution</i>

<b>COURT 3 TUESDAY</b> <b>DATE: 28<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Salika CJ</b> <b>Mogish J</b> <b>Anis J</b>	<b>CORAM</b>	<b>Salika CJ</b> <b>Mogish J</b> <b>Anis J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 11</b>	Robert Kopoal vs. Steamships Limited, Benjamin Samson in his capacity as Registrar of Titles & National Housing Corporation  <b>SCREV 25 of 2020 (IECMS)</b> (Appeal from Makail J)  <i>Hearing on Application for review</i>	<b>CASE 12</b>	Velma Pera vs. The State  <b>SCREV 14 of 2020</b> (Appeal from Manuhu J)  <i>Hearing of Review on Sentence</i>

<b>COURT 1 WEDNESDAY</b> <b>DATE: 29<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Batari J</b> <b>Collier J</b> <b>Narokobi J</b>	<b>CORAM</b>	<b>Hartshorn J</b> <b>Collier J</b> <b>Narokobi J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 13</b>	Hon. Taboi Awi Yoto-MP, Provincial Executive Council of the Fly River Provincial Government, Robert Alphonse Kaiyun vs. Aquila Samson, National Executive Council & The Independent State of Papua New Guinea  <b>SCM 67 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Hearing on Respondent Objection to Competency filed 4<sup>th</sup> March 2022</i>	<b>CASE 14</b>	Marcella Hasifangu vs. Mark Mauludu in his capacity as CEO of Boram General Hospital, Pascoe Kase in his capacity as secretary of the Department of Health & Independent State of Papua New Guinea  <b>SCA 78 of 2021 (IECMS)</b> (Appeal from Miviri J)  <i>Substantive Appeal</i>

<b>COURT 2 WEDNESDAY</b> <b>DATE: 29<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Cannings J</b> <b>Makail J</b> <b>Dingake J</b>	<b>CORAM</b>	<b>Cannings J</b> <b>Makail J</b> <b>Dingake J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 15</b>	Alphonse Palang for and behalf of 230 workers of Mainland Holdings Limited trading as Nuigini Table birds as per the list of names in the attached schedule vs. Mainland Holdings Limited trading as Niugini Table birds  <b>SCA 102 of 2020 (IECMS)</b> (Appeal from Kandakasi DCJ)  <i>Hearing Respondent's Objection to Competency</i>	<b>CASE 16</b>	Immanuel Kandata on his own behalf and members of the Lapindi Clan of Lyeimi, Enga Province vs. Telikom (PNG) Limited  <b>SCA 26 of 2017</b> (Appeal from Hartshorn J)  <i>Substantive Appeal</i>

<b>COURT 3 WEDNESDAY</b> <b>DATE: 29<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Mogish J</b> <b>Bona J</b> <b>Pitpit J</b>	<b>CORAM</b>	<b>Toliken J</b> <b>Pitpit J</b> <b>Kaumi J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 17</b>	Pindepi Natate vs. The State  <b>SCREV 92 of 2017</b> (Appeal from Yagi J)  <i>Hearing of Appeal against conviction and sentence</i>	<b>CASE 18</b>	Dulcie Giwasi & Agnes Giwasi vs. National Hosing Corporation, National Development Bank, Chris Magaya & Jocy Magaya  <b>SCA 71 of 2021 (IECMS)</b> (Appeal from Makail J)  <i>Substantive Appeal</i>

<b>COURT 1 THURSDAY</b> <b>DATE: 30<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>David J Anis J Dowa J</b>	<b>CORAM</b>	<b>David J Makail J Dowa J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 19</b>	Nelson Akiko & Reuben Loli Nalepe vs. Nixion Mangape, Mineral Resources Authority, Hon. Johnson Tuke-MP, Mineral Resources Authority & The Independent State of PNG  <b>SCA 139 of 2021 (IECMS)</b> (Appeal from Kandakasi DCJ)  <i>Second and Third Respondents' Objection to Competency</i>	<b>CASE 20</b>	International Education Agency of Papua New Guinea Limited vs. Young Wadau  <b>SCA 44 of 2018</b> (Appeal from Cannings J)  <i>Substantive Appeal</i>

<b>COURT 2 THURSDAY</b> <b>DATE: 30<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Salika CJ Batari J Cannings J Makail J Collier J</b>	<b>CORAM</b>	<b>Makail J Collier J Kaumi J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 21</b>	Reference by Enga Provincial Executive SHP Executive, New Ireland Provincial Executive, WNB Provincial Executive & 13 Anors vs. Dr Erick Kwa-The Attorney General of PNG & Ors.  <b>SCREF 5 of 2019</b>  <i>Hearing on Objection to Competency</i>	<b>CASE 22</b>	Nelson Akiko & Reuben Loli Nalepe vs. Mark Tony Ekepa, Hon. Johnson Tuke-MP, Mineral Resources Authority & The Independent State of PNG  <b>SCA 96 of 2021 (IECMS)</b> (Appeal from Kandakasi DCJ)  <i>Substantive Appeal</i>

<b>COURT 3 THURSDAY</b> <b>DATE: 30<sup>th</sup> /06/2022</b>			
<b>CORAM</b>	<b>Hartshorn J Toliken J Narokobi J</b>	<b>CORAM</b>	<b>Mogish J Bona J Pitpit J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 23</b>	John Ngowai, Roland Kawai & Gavipumaku vs. James Epara  <b>SCA 76 of 2020 (IECMS)</b> (Appeal from Kandakasi DCJ)  <i>Hearing of Respondent's application to dismiss for want of prosecution</i>	<b>CASE 24</b>	Marcia Pau vs. The State  <b>SCRA 35 of 2021</b> (Appeal from Wawun-Kuvi AJ)  <i>Hearing of Appeal against sentence</i>

<b>COURT 1 FRIDAY</b>			
<b>DATE: 01<sup>st</sup> /07/2022</b>			
<b>CORAM</b>	<b>David J Murray J Toliken J</b>	<b>CORAM</b>	<b>Batari J Cannings J David J</b>
<b>TIME</b>	<b>9:30am – 12:00pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 25</b>	Application pursuant to Section 18(1), Application by Justice Foundation for Porgea Limited vs. Attorney General of PNG Ph.D, Barrick Niugini Limited, Lihir Gold Limited AND OK Tedi Mining Limited  <b>SCC (OS) 4 of 2021 (IECMS)</b>  <i>Hearing on Notice of Objection to Competency</i>	<b>CASE 26</b>	Application by Hon. Powers Pako- MP Governor of NCD, Attorney General <b>vs.</b> Dr Eric Kwa-Attorney General and Hon. Robert Agarobe -Governor for Central Province  <b>SCC (OS) 1 of 2022 (IECMS)</b>  <i>Hearing on Application on standing</i>

<b>COURT 2 FRIDAY</b>			
<b>DATE: 01<sup>st</sup> /07/2022</b>			
<b>CORAM</b>	<b>Salika CJ Hartshorn J YagiJ</b>	<b>CORAM</b>	
<b>TIME</b>	<b>9:30am – 12:00 pm</b>	<b>TIME</b>	<b>1:30pm – 4:06pm</b>
<b>CASE 27</b>	Ian Smith Ikwari, Australian Papuan Civil rights Council Incorporated vs. minister for Foreign Affairs & The STATE of PNG  <b>SCA 120 of 2018</b> (Appeal from Cannings J)  <i>Substantive Appeal (part-heard)</i>	<b>CASE</b>	<i>Judgment</i>