

IN THE NATIONAL COURT)
OF JUSTICE AT WAIGANI)
PAPUA NEW GUINEA)

OS (JR) No. 706 of 2012

BETWEEN:

PHILIP ISU, GEORGE BAURE, JOHN DAVANI, AND LESTER SERI, all Landowners of the Virani Mon, Wo'o and Wofun clans, Sinifara Konyasi Sinapa, and Uaiku Villages Collingwood Bay Oro Province

First Plaintiffs/Applicants

AND:

CHRISTIAN MARAVIS, KERNELL ISARA AND DANIEL MES all landowners of the Ubir and Oyan Tribes Wanigela, Collingwood Bay, Oro Province

Second Plaintiffs/Applicants

AND:

HON. GARY JUFFA, GOVERNOR, ORO PROVINCE

Third Plaintiffs/Applicants

AND:

JOHN OFOI ACTING SECRETARY FOR THE DEPARTMENT OF LANDS AND PHYSICAL PLANNING

First Defendant/Respondent

AND:

HENRY WASA REGISTRAR OF TITLES

Second Defendant/Respondent

AND:

THE INDEPENDENTS STATE OF PAPUA NEW GUINEA

Third Defendant/Respondent

AND:

SIBO MANAGEMENT LIMITED

Fourth Defendant/Respondent

AND:

WANIGELA AGRO INDUSTRIAL LIMITED

Fifth Defendant/Respondent

AND:


ANG AGRO FOREST MANAGEMENT LIMITED

Sixth Defendant/Respondent



ORDER

Ordered: 20 May 2014

Filed:  May 2014

Ashurst Lawyers, 4th Floor Mogoru Moto Building
Champion Parade (P O Box 850) PORT MORESBY
Telephone: 309 2000 Fax: 309 2099

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LIMITED**

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MANAGEMENT LIMITED**

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ORDER

THE COURT ORDERS BY CONSENT that:

1. The Application for Judicial Review is granted.

2. The Special Agriculture and Business Lease granted on 27 July 2012 to Sibom Management Limited for a period of 50 years over all that piece of land known as "Kwagir" being Portion 113C Milinch Murua Fourmil Tufi, Oro Province, having an area of 21,520 hectares is null and void and is quashed.
3. The Special Agriculture and Business Lease granted on 27 July 2012 to Wanigela Agro Industrial Limited for a period of 50 years over all that piece of land known as "Diridadan" being Portion 143C Milinch Kupari Fourmil Tufi, Oro Province, having an area of 16,830 hectares is null and void and is quashed.
4. The Fourth, Fifth and Sixth Defendants shall surrender the Original Owners Copies of the respective Title Deeds to the Registrar of Titles for cancellation within fourteen (14) days from the date of this Order for cancellation.
5. The Registrar of Titles shall make all necessary amendments and deletions to the Register of State Leases to give effect to paragraphs 2 and 3 of this Order within fourteen (14) days from the date of the Order and furnish the Plaintiffs with copies of the cancelled Title Deeds accordingly.
6. The Secretary for Lands shall amend all records of the State Lands Files to give effect to 2 and 3 of this Order within fourteen (14) days from the date of this Order.
7. The interim orders made by this Court on 13 December 2013 are extinguished.
8. Costs are reserved with parties at liberty to apply upon seven (7) days' notice to the other parties.

3.

9. The time for entry of these orders be abridged to the date of settlement by the Registrar which shall take place forthwith.

ORDERED the 20th day of May 2014; and

ENTERED the 21 day of May 2014.



BY THE COURT
(IAN V AUGEREA)
REGISTRAR