



PAPUA NEW GUINEA

# SUPREME COURT OF JUSTICE

AT WAIGANI

**SUPREME COURT SITTINGS LIST FOR THE MONTH OF JUNE, 2020**

**Commencing 15<sup>th</sup> June to 19 June, 2020**

***Issued After:*** Directions on [09 June, 2020](#); Status Conference on 11 June 2020  
***Amended on Friday 12<sup>th</sup> June 2020 at 1:30 pm***

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

***Listings Judges:*** Makail J

***Associate:*** Wari Kila

<b>COURT 1 MONDAY</b> <b>DATE: 15<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Mogish, J</b> <b>Makail, J</b> <b>Koeget, J</b>	<b>CORAM</b>	<b>Mogish, J</b> <b>Makail, J</b> <b>Koeget, J</b>
<b>TIME</b>	<b>9.30am - 12:00pm</b>	<b>TIME</b>	<b>1.30pm - 4.06pm</b>
<b>CASE 1</b>	<p>Freddy Lisa –vs. The State</p> <p><b>SCRA 53 of 2018</b> (Appeal Manuhu J)</p> <p><i>Hearing on Appeal against conviction and sentence</i></p>	<b>CASE 2</b>	<p>Kuara Haliago Investment Limited-vs- Uke Komba in his capacity as the Acting Secretary for Department of Education &amp; Ors</p> <p><b>SCA 196 of 2018</b> (Appeal from Polume – Kiele, J)</p> <p><i>Summary Determination</i></p>
		<b>CASE 3</b>	<p>Kuara Haliago Investment Limited-vs- Uke Komba in his capacity as the Acting Secretary for Department of Education &amp; Ors</p> <p><b>SCA 197 of 2018</b> (Appeal from Polume – Kiele, J)</p> <p><i>Summary Determination</i></p>
		<b>CASE 4</b>	<p>Kuara Haliago Investment Limited-vs- Uke Komba in his capacity as the Acting Secretary for Department of Education &amp; Ors</p> <p><b>SCA 198 of 2018</b> (Appeal from Polume-Kiele,J)</p> <p><i>Summary Determination</i></p>
		<b>CASE 5</b>	<p>Kuara Haliago Investment Limited-vs- Uke Komba in his capacity as the Acting Secretary for Department of Education &amp; Ors</p> <p><b>SCA 199 of 2018</b> (Appeal from Polume – Kiele, J)</p> <p><i>Summary Determination</i></p>
		<b>CASE 6</b>	<p>Kuara Haliago Investment Limited-vs- Uke Komba in his capacity as the Acting Secretary for Department of Education &amp; Ors</p> <p><b>SCA 200 of 2018</b> (Appeal from Polume-Kiele,J)</p> <p><i>Summary Determination</i></p>
		<b>CASE 7</b>	<p>Luther Sipison, Secretary for Lands &amp; Physical Planning-v- The State, Kurkuramb Estate Limited &amp; Kumul Consolidated Holdings</p> <p><b>SCA 57 of 2017</b></p>

			(Appeal from Polume – Kiele, J) <i>Summary Determination</i>
		<b>CASE 8</b>	Kum Kar Weap-v- Sali Kinawa  <b>SCA 122 of 2018</b> (Appeal from Kandakasi, Jas then He was)  <i>Summary Determination</i>
		<b>CASE 9</b>	Wonyi Auto Limited-v- Michael Waipo, Commissioner, PNG Correctional Services, PNG Correctional Services & The State  <b>SCA 111 of 2018</b> (Appeal from Polume – Kiele, J)  <i>Summary Determination</i>

<b>COURT 2 MONDAY</b> <b>DATE: 15<sup>th</sup>/06/2020</b>			
<b>CORAM</b>	<b>Kandakasi, DCJ Manuhu, J Shepherd, J</b>	<b>CORAM</b>	<b>Kandakasi, DCJ Manuhu, J Shepherd, J</b>
<b>TIME</b>	<b>9.30am – 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 10</b>	Soakofa Trading Limited, Ken Petakin, Managing Director of First Plaintiff-v- Bank South Pacific  <b>SCA 82 of 2017</b> (Appeal from Kariko,J)  <i>Hearing on Substantive Appeal</i>	<b>CASE 11</b>	Grai Teine and Etnambo Builders Ltd-v-Chris Kawage  <b>SCA 164 of 2017</b> (Appeal from Liosi, AJ)  <i>Hearing on Substantive Appeal</i>

<b>COURT 2 MONDAY</b> <b>DATE: 15<sup>th</sup>/06/2020</b>			
<b>CORAM</b>		<b>CORAM</b>	<b>Toliken, J Pitpit, J</b>
<b>TIME</b>	<b>9.30am – 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE</b>		<b>CASE 12</b>	National Housing Estates Limited & Korea Niugini Housing Limited  <b>SCM 23 of 2017</b> (Appeal from Nablu J)  <i>Hearing on section 3 of the Supreme Court Act</i>

<b>COURT 1 TUESDAY</b> <b>DATE: 16<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Cannings, J</b> <b>Polume-Kiele, J</b> <b>Miviri, J</b>	<b>CORAM</b>	<b>Cannings, J</b> <b>Polume-Kiele, J</b> <b>Miviri, J</b>
<b>TIME</b>	<b>TIME 9:30am to 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 13</b>	George Kakas & 63 Ors –vs. National Housing Commission  <b>SCA 21 of 2019</b> (Appeal from Kariko J)  <i>Hearing on Objection to competency and Substantive Appeal</i>	<b>CASE 14</b>	Augus Wialu for himself and on behalf of 5 others whose names appear on the schedule at the back of the writ.-v-John Andreas, Secretary for department of trade & Commerce Industry.  <b>SCA 88 of 2018</b> (Appeal from Polume-Kiele,J)  <i>Hearing on the Substantive Appeal and Application to adduce fresh evidence</i>

<b>COURT 2 TUESDAY</b> <b>DATE: 16<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Kandakasi, DCJ</b> <b>Manuhu, J</b> <b>Tamate, J</b>	<b>CORAM</b>	<b>Kandakasi, DCJ</b> <b>Manuhu, J</b> <b>Tamate, J</b>
<b>TIME</b>	<b>9.30am – 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 15</b>	Kurubu Ipara, Ruben Nalepe & John Ondalane, Iterim Trustee-v-Porgera Landowners Association Incorporated, Christopher Trainor in his capacity as Trustee, Paul Mawa in his capacity as Trustee & Donal Hehona in his capacity as Trustee  <b>SCA 74 of 2017</b> (Appeal from Kariko,J)  <i>Hearing on Substantive Appeal</i>	<b>CASE 16</b>	Reference by Leslie Mamu as Publi Solicitor of Papua New Guinea –vs. Ombudsman Commission  <b>SCREF 1 of 2018</b>  <i>Hearing on Substantive Reference</i>

<b>COURT 1 WEDNESDAY</b>			
<b>DATE: 17<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Mogish, J Tamate, J Koeget, J</b>	<b>CORAM</b>	<b>Mogish, J Tamate, J Koeget, J</b>
<b>TIME</b>	<b>9.30am - 12:00pm</b>	<b>TIME</b>	<b>1.30pm - 4.06pm</b>
<b>CASE 17</b>	Victor Joseph –vs. Rui Rami and National Housing Corporation  <b>SCA 170 of 2017</b> (Appeal from Polume-Keile J)  <i>Hearing on 1st Respondent Application to dismiss for Want of prosecution</i>	<b>CASE 18</b>	Herman Sahale, Representative of Bualali Clan, Kevemuki Clan of Bobiso Clan of Hoskins –vs. Francis Karogo, Representative of Kerakera Lololo Clan of Gavaiva Village  <b>SCM 59 of 2019</b> (Appeal from Cannings J)  <i>1st Respondents application to dismiss</i>

<b>COURT 2 WEDNESDAY</b>			
<b>DATE: 17<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Manuhu, J Anis, J Miviri, J</b>	<b>CORAM</b>	<b>Manuhu, J Anis, J Miviri, J</b>
<b>TIME</b>	<b>9.30am - 12:00pm</b>	<b>TIME</b>	<b>1.30pm - 4.06pm</b>
<b>CASE 19</b>	Elisha Timothy, Romily Kila Pat-Secretary for Lands & Physical Planning, Benjamin Samson- Registrar of Titles, and The STATE  <b>SCA 96 of 2017</b> (Appeal from Cannings J)  <i>Hearing on Respondent Application to dismiss the appeal for want for prosecution</i>	<b>CASE 20</b>	Kawasi Kugi-v-Simon Foo - CEO, National Airlines Commission trading as Air Niugini Limited, National Superannuation Fund Limited & Nambawan Super Limited  <b>SCA 113 of 2017</b> (Appeal from Kariko,J)  <i>Hearing on Substantive Appeal</i>

<b>COURT 1 THURSDAY</b>			
<b>DATE: 18<sup>th</sup>/06/2020</b>			
<b>CORAM</b>	<b>Manuhu, J Kariko, J Miviri, J</b>	<b>CORAM</b>	<b>Kandakasi, DCJ Manuhu, J Makail, J Kariko, J Miviri, J</b>
<b>TIME</b>	<b>9.30am – 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 21</b>	Raphael Niakra-v-The State  <b>SCRA 69 of 2010</b> (Appeal from Mogish,J)  <i>Hearing on Application for Leave and Substantive Review against Conviction</i>	<b>CASE 22</b>	The Independent State of Papua New Guinea & Hon. Davis Steven in his capacity as the Attorney General of Papua New Guinea-v- Jim Wala Tamate in his capacity as Public Solicitor PNG, Pondros Kaluwin in his capacity as the Public Prosecutor of PNG, Michael Waipo in his capacity as Commission of CS, Ian Augerea in his capacity as the Registrar of National & Supreme Court  <b>SCA 161 of 2017</b> (Appeal from Cannings,J)  <i>Hearing on Substantive Appeal &amp; Appellants Application to adduce fresh evidence</i>

<b>COURT 2 THURSDAY</b>			
<b>DATE: 18<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Salika, CJ Makail, J Anis, J</b>	<b>CORAM</b>	<b>Salika, CJ Makail, J Anis, J</b>
<b>TIME</b>	<b>9.30am – 12:00pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 23</b>	Hon: Sasindra Muthuvel, MP, Member for West New Britain, Martin Linge, Parliamentary Services, Hon: Francis Galia Maneke, MP, Memer for Talasea Open & others-v- Hon: Lawrence Mango MPA, Deputy Governor, East New Britain Province & Hon: Joseph Lelang, MP, Member for Kandrian Gloucester  <b>SCA 90 of 2019</b> Appeal from Cannings,J  <i>Hearing on substantive Appeal</i>	<b>CASE 24</b>	Petroleum Exportation Joint Venture Limited – vs. Stanis Talu, Daniel Nere & Pukula Hereba  <b>SCA 24 of 2019</b> (Appeal from Hartshorn J)  <i>Respondents Objection to Competency &amp; Application to adduce fresh evidence</i>

<b>COURT 1 FRIDAY</b> <b>DATE: 19<sup>th</sup> /06/2020</b>			
<b>CORAM</b>	<b>Makail, J Anis, J Koeget, J</b>	<b>CORAM</b>	<b>Makail, J Anis, J Koeget, J</b>
<b>TIME</b>	<b>9.30am – 12:00 pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE 25</b>	<p>Mike Kelo, on his own behalf and on behalf of the members of the Windi Pei Clan in the South Wiru LLG Ward in Ialibu-Pangia Electorate of SHP, whose names appear in the Schedule attached to the back of this summon-v-Andrew Epere Ipu &amp; Benny Andrew AND The Secretary Department of Finance</p> <p><b>SCA 71 of 2019</b> (Appeal from Polume-Kiele,J)</p> <p><i>Hearing on Objection to Competency &amp; Substantive Appeal</i></p>	<b>CASE 25</b> <b>Cont...</b>	<p>Mike Kelo, on his own behalf and on behalf of the members of the Windi Pei Clan in the South Wiru LLG Ward in Ialibu-Pangia Electorate of SHP, whose names appear in the Schedule attached to the back of this summon-v-Andrew Epere Ipu &amp; Benny Andrew AND The Secretary Department of Finance</p> <p><b>SCA 71 of 2019</b> (Appeal from Polume-Kiele,J)</p> <p><i>Hearing on Objection to Competency &amp; Substantive Appeal</i></p>

<b>COURT 2 FRIDAY</b> <b>DATE: 19<sup>th</sup> /06/2020</b>			
<b>CORAM</b>		<b>CORAM</b>	<b>Cannings, J Shepherd, J Kariko, J</b>
<b>TIME</b>	<b>9.30am – 12:00 pm</b>	<b>TIME</b>	<b>1.30pm – 4.06pm</b>
<b>CASE</b>		<b>CASE 26</b>	<p>Paul Yawe,Chairman of Aporo'urri Resources Owners Association Inc-v- Pape Punga. Chairman Homa Pua Peoples Association</p> <p><b>SCA 106 of 2019</b> (Appeal from Polume-Kiele)</p> <p><i>Hearing on the First and Second Respondents Application to Dismiss to Want of Prosecution</i></p>
		<b>CASE 27</b>	<p>Independent State of Papua New Guinea-v- Pape Punga-Chairman Homa Pua People's Association</p> <p><b>SCA 107 of 2019</b> (Appeal from Polume-Kiele)</p> <p><i>Hearing on the First and Second Respondents Application to Dismiss to Want of Prosecution</i></p>