

PAPUA NEW GUINEA

IN THE NATIONAL COURT OF JUSTICE AT ALOTAU/WAIGANI

OS NO. ___ OF 2010

IN THE MATTER OF AN APPLICATION FOR JUDICIAL REVIEW UNDER ORDER 16 OF THE NATIONAL COURT RULES

BETTVEEN

ZACHERY GELU

- First Applicant

AND

PAUL PARAKA

- Second Applicant

AND.

MAURICE SHEEHAN, JUSTICE CATHY DAVANI AND DON MANOA AS FORMER CHIEF COMMISSIONER AND COMMISSIONERS RESPECTIVELY COMPRISING THE COMMISSION OF INQUIRY INTO THE MANAGEMENT GENERALLY OF PUBLIC MONIES BY THE DEPARTMENT OF FINANCE

- First Resnandents

AMD:

SIR MICHAEL T. SOMARE, MF

PRIME MINISTER & APPOINTING AUTHORITY OF THE COMMISSION OF INQUIRY INTO THE DEPARTMENT OF FINANCE AND AS CHAIRMAN OF THE NATIONAL EXECUTIVE COUNCIL

- Second Respondent

AND:

MANLY UA, SECRETARY TO THE NATIONAL EXECUTIVE COUNCIL

- Third Respondent

AND.

MANASUPE ZURENOUC - ACTING CHIEF SECRETARY TO GOVERNMENT

- Fourth Respondent

AND:

THE INDEPENDENT STATE OF PAPUA NEW GUINEA

- Fifth Respondent

COURT ORDER

Ordered: 6th March, 2010.

Entered: 6th March, 2010.

PAUL PARAKA

Lawyers

Chascorp Full Ires Franklin Crane R. Z Duries also Highwas AL STAU

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- First Respondents

AND:

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END

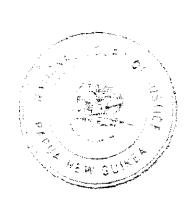
THE INDEPENDENT STATE OF PAPUA NEW GUINEA

- Fifth Responden:

COURT ORDER

THE COURT ORDERS THAT:-

 I cave is granted for the requirements of service to be caspensed with pursuant <u>Order I Fule T</u> of the <u>National Court Lules</u> and the Orders sought never be deal; with forthwith.



- 2. Pending the determination of the leave application, an interim injunction is granted staying the implementation of the recommendations in the Final Report of the Commission of Inquiry generally into the Finance Department pursuant to the inherent powers of the Court under Section 155(3)(a) of the Constitution.
- 3. A further Order is made pursuant to the inherent powers of the Court under Section 155(3)(a) of the Constitution restraining the Defendants or their agents, servants and instrumentalities of the State from implementing, discussing, debating or giving effect to the recommendations in the Final Report of the Commission of Inquiry into the Department of Finance pending the determination of the leave application or the substantive judicial review.
- 4. A further Order pursuant to the inherent powers of the Court under Section 155(3)(a) of the Constitution that the contents of the Final Report including the adverse findings and recommendations are restrained from being published or communicated by all print, electronic and broadcast media outlets in any form or manner pending the determination of the leave and or substantive judicial review.
- 5. The matter returns to the Deputy Registrar, Civil in Waigani to be placed before the judicial review Court.
- 6. That the Applicants serve all relevant documents on all concerned parties forthwith.
- 7. The entry of this Order is abridged to the time of settlement of the Orders by the Registrar which shall take place forthwith.
- 8. Costs in the cause.

BY THE COURT

SAKORA.

Ordered this 6th day of March, 2010.

Entered this 58 day of March, 2010.