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VERSUS

OOOLA PETER RESPONDENTS

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5 Consent Decree dated 09th July 2019 entered before Hon. Justice Mubiru
Stephen, set aside. The impugned Consent Decree is attached to the
Motion, and the decision in which the Respondent is shown to have lost
legal battle to Kaggwa Michael is also attached to the affidavit in support
of the motion. The law on setting aside Consent Decree is well settled.
10 The grounds upon which Courts proceed need no further emphasis. It is
those grounds upon which a Court would set aside a contract. See
**Attorney General & Uganda Land Commission Vs. James Mark
Kamoga & James Kemala (SCU) Civil Appeal No. 08/2004.** In this case,
misapprehension of material fact, and or mistake thereof, has been
15 pleaded. I find that the same has been proved on the balance of
probability. I allow the Motion, and Order as follows;

1. Consent Decree entered in Civil Suit No. 035/2018 between Oola
Peter & Attorney General, on 09th July 2019 before this Court, is set
aside.
- 20 2. Civil No. 035/2018 shall be heard on merit.
3. No order is made as to costs, since the matter has proceeded exparte.
It is so ordered.

Delivered and dated at Gulu this 08th April, 2024.

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George Okello
JUDGE

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5 Ruling read in Open Court

08th April, 2024

Attendance

10 Mr. Amuru Shaffi, SSA from Attorney General's Chambers, for the Applicant.

Maj. Fredrick Kangwamu, Legal Officer Military Land Board, Ministry of Defence & Veterans Affairs, in court.

The Respondent absent.

No Counsel for the Respondent (unrepresented).

15 Mr. Ochan Stephen, Court Clerk.


George Okello

JUDGE

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