

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
[LAND DIVISION]
MISCELLANEOUS APPLICATION NO. 163 OF 2024
(ARISING CIVIL SUIT NO. 34 OF 2006)

1. KYEPA YAZID MUKALU ::::::::::::::::::::::::::: APPLICANTS

2. ROBERT MUGERWA

VERSUS

1. FRISTA NAKITENDE (As administrator of the estate of the late Eria Kirumira Nakalango)

2.VICENT KIBIRIGE:::::::::::::::::::::::::::::::::RESPONDENTS

BEFORE: HON. MR. JUSTICE TADEO ASIIMWE

RULING

This Application was fixed for today's hearing at the request of Counsel for the Applicant in his letter dated 7th February, 2024. It is surprising that the same Lawyer who obtained an urgent hearing date on account of his sickly client has failed to attend Court today.

I have also checked on ECCMIS and found a letter dated 27th March, 2024 indicating an instruction of intention to withdraw the Application.

However, the said instruction has not been put on Court record and as such, there is no such prayer to withdraw the case before me.

A handwritten signature in blue ink, appearing to be 'Tadeo Asiimwe', is written over the page number. The signature is stylized with long, sweeping strokes.

Under normal circumstances, the Advocate should have appeared in Court to formerly seek the intended withdraw of the matter.

Accordingly, since the Application is still pending in Court and the parties have failed to prosecute it, the same stands dismissed for want of prosecution.

Applicant shall pay costs of the dismissed Application.

I so order.



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TADEO ASIIMWE

JUDGE

5/04/2024