

THE REPUBLIC OF UGANDA
IN THE COURT OF APPEAL OF UGANDA AT KAMPALA
CIVIL APPLICATION NO. 385 OF 2018 & CIVIL APPEAL NO.0222 OF 2013
(ARISING OUT OF HCCS NO. 009 OF 2009 OF FORT PORTAL)

KELLEN MUHIMBISE=====APPLICANT

VERSUS

1. MUHAMMED ALI SALEH
2. CAIRO INTERNATIONAL BANK LTD
3. GEORGE BEGUMISA

=====RESPONDENTS

CORAM: HON. MR. JUSTICE GEOFFREY KIRYABWIRE, JA
HON. LADY JUSTICE MONICA MUGENYI, JA
HON. MR. JUSTICE REMMY KASULE, Ag. JA

RULING

This matter came up for hearing today. Mr. Okello Oryem for the Respondent informed Court that neither the Appellant nor her lawyer were present in Court. On Court record is an affidavit of service on M/S Web Advocates Counsel for the Appellant, dated 19th February, 2021, where in it is deponed that service was accepted.

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Mr. Oryem submitted that the Appeal be dismissed under Rule 100(1) of the Rules of this Court. He however pointed out that the Appellants had submissions on Court record.

We have noted the arguments for dismissal of the Appeal but since all submissions are on record, in the interest of justice we shall render a Judgment on Notice on the merits.

Dated at Kampala this 23rd day of February 2021.



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HON. MR. JUSTICE GEOFFREY KIRYABWIRE

JUSTICE OF APPEAL



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HON. LADY JUSTICE MONICA MUGENYI

JUSTICE OF APPEAL



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HON. MR. JUSTICE REMMY KASULE

Ag. JUSTICE OF APPEAL