

**THE REPUBLIC OF UGANDA
IN THE COURT OF APPEAL OF UGANDA AT KAMPALA**

CIVIL APPLICATION NO. 357 OF 2021

(Arising from Civil Appeal no. 299 of 2019)

**1. EDWARD DAMULIRA
2. EPHRAIM KAKANDE APPLICANTS**

VERSUS

**1. BRENDA BUKIRWA KYAGULANYI
2. STEPHEN LWANYAGA KYAGULANYI..... RESPONDENTS**

CORAM: Hon. Mr. Justice Kenneth Kakuru, JA

**RULING OF JUSTICE KENNETH KAKURU, JA
(Single justice)**

This is an application seeking for an *interim order* staying the orders of the High Court and restraining the respondents, their agents, workers or any other persons bound by the said orders of the High Court from executing or interfering with the and applicants liberty, privacy by arresting or in way interfering with the applicants occupation, accommodation on the suit land located on Block 221 Plot 421, Plot 2268 and Plot 2269 originally registered proprietor Late Erisa N. G Kyagulanyi. The orders were granted by Hon. Justice Cornelia Kakooza Sabiiti, J on 26th June, 2019 in High Court Civil Suit No. 270 of 2011.

The grounds of this application are contained in the Notice of Motion and the application is supported by an affidavit deponed to by the 2nd applicant expounding on the grounds set out in the motion. I have found no reason to reproduce it here.

The respondents filed an affidavit in reply deponed to by the 2nd respondent contesting the application. I also have found no reason to reproduce it here

This Court directed both parties to this application to file written submissions. I found no need for oral submissions. The applicants were directed to file written submissions by 4th April, 2022 and the respondents were directed to file theirs by 11th April, 2022.

The applicant filed the written submissions which are on Court record on 11th April, 2022 which is out of time. The respondents also failed to comply with the said directions of this Court as their submissions were filed out of time on 12th April, 2022.

I would have dismissed this application straight away. But in the interest of justice and pursuant to *Rule 2(2)* of the Rules of this Court, I will allow it with a warning to parties to strictly comply with directives of this Court

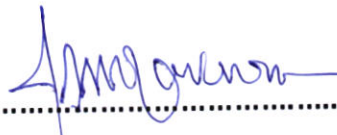
I am satisfied that the applicants have proved their case.

This application is hereby allowed.

I hereby make the following orders;-

1. An interim order is hereby granted in the terms set out in the Notice of Motion.
2. The order shall lapse on 12th June, 2022.
3. The Registrar of this Court is hereby directed to fix the main application for hearing before 12th June, 2022.
4. Costs shall abide the result of the main application.

Dated at Kampala this^{12⁺}..... day of April..... 2022.



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Kenneth Kakuru
JUSTICE OF APPEAL