

THE REPUBLIC OF UGANDA
IN THE COURT OF APPEAL OF UGANDA (COA) AT KAMPALA
ELECTION PETITION APPLICATION NUMBER 47 OF 2022

SHUKLA MUKESH BABUBHAI=====APPLICANT

VS

SSENYONYI JOEL BESEKEZI =====RESPONDENT

CORAM: HON. MR. JUSTICE GEOFFREY KIRYABWIRE, JA

HON. MR. JUSTICE MUSOTA STEPHEN, JA

HON. MR. JUSTICE GASHIRABAKE CHRISTOPHER, JA

RULING OF COURT

The Applicant filed this Application by Notice of Motion under Rule 19 of the Parliamentary Elections (Election Petitions) Rules seeking Orders that the time within which to file an Appeal against the decision of the High Court Judge Hon. Mr. Justice Isaac Muwata delivered on the 14th October, 2021 in Election Petition No. 09 of 2021 be extended by this Honourable Court

Furthermore, the Record of Appeal and Memorandum of Appeal filed by the Applicant against the decision of Hon. Justice Isaac Muwata of the Civil Division of the High Court of Uganda also be validated by this Honourable Court.

When this Application was called for hearing, Court noted several careless omissions and commissions which do not qualify it for an Application before Court of Appeal. This Application was filed only today 28th March, 2022 and drawn to the attention of Court during our short recess.

In addition, the Application is not fixed for hearing, it is not signed by Counsel and Counsel has not dated it.

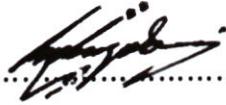
In the circumstances, this Application is irregularly before Court. It is accordingly struck out with half costs.

Since the Application sought to extend time within which to file the Appeal and validate the Record and Memorandum of Appeal but it has been struck out then it follows that there is no valid Appeal before this Court.

Election Appeal No. 80 of 2021 is accordingly struck out with half costs.

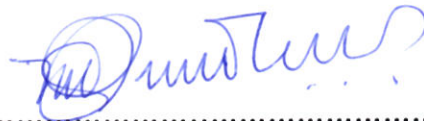
We so order.

Dated at Kampala this.....^{28th}..... day of.....^{MARCH}.....2022.



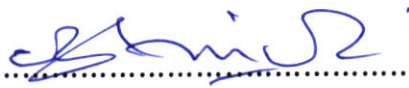
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HON. MR. JUSTICE GEOFFREY KIRYABWIRE

JUSTICE OF APPEAL



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HON. MR. JUSTICE MUSOTA STEPHEN

JUSTICE OF APPEAL



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HON. MR. JUSTICE GASHIRABAKE CHRISTOPHER

JUSTICE OF APPEAL