

**THE REPUBLIC OF UGANDA**  
**IN THE COURT OF APPEAL OF UGANDA AT KAMPALA**  
**CIVIL APPEAL NO. 321 OF 2019**  
*(Arising out of HCCS No. 005 of 2012)*

5 **UGANDA NATIONAL ROADS AUTHORITY ::::::::::: APPELLANT**  
**VERSUS**

**1. PARAMBOT BREWERIES LIMITED**  
**2. PARAMBOT DISTILLERS LIMITED ::::::::::: RESPONDENT**

10 **CORAM: HON. JUSTICE MUZAMIRU KIBEEDI, JA**  
**HON. JUSTICE CHRISTOPHER GASHIRABAKE, JA**  
**HON. JUSTICE OSCAR JOHN KIHKA, JA**

**JUDGMENT OF CHRISTOPHER GASHIRABAKE, JA**

This appeal arises out of the decision of Justice Bashaija K. Andrew in High Court Civil Suit No. 321 of 2019.

15 **Background**

The background of the case as can be discerned from the record is as follows; the respondents sued the Attorney General and Uganda National Roads Authority jointly and severally for negligence and encroachment on the respondent's land. The respondent's case was  
20 that the appellants, while constructing the Gayaza-Zirobwe Road, on which the respondent's twin factories are situated, caused injury to the respondent's premises and machinery. By consent of both parties, the Chief Mechanical Engineer of the Ministry of Works was engaged to reconcile the two conflicting valuation reports on the  
25 extent of damage occasioned to the respondent's machinery. A

*CAJ*