



**THE REPUBLIC OF UGANDA**

**IN THE HIGH COURT OF UGANDA AT KAMPALA**

**(COMMERCIAL COURT DIVISION)**

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**MISCELLANEOUS APPLICATION No. 1267 OF 2020**

**(Arising from MA 1266 of 2020)**

**NDAWULA RONALD ::: APPLICANT**

**VERSUS**

**HIRAA TRADERS (u) Ltd ::: RESPONDENTS**

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**BEFORE HON. MR. JUSTICE RICHARD WEJULI WABWIRE**

**RULING**

This Application was brought ex parte under order 52 r 1 & 3 CPR, S.41 (2) Judicature Act, Rules 3&4 Court Vacation Rules and S.98 Civil Procedures Act seeking orders that a certificate of urgency be issued to hear MA1266/2020, during this Court vacation, for stay of execution /implementation of a bankruptcy order and for costs of the application to be provided for.

The Application is supported by the Affidavit of Ndawula Ronald, the Applicant and in there are the grounds upon which it is based bit briefly are that;

Upon being adjudged bankrupt on 30/11/2020, the Applicant unsuccessfully applied to have the order set aside. He intends to appeal to the Court of Appeal against the refusal to set aside the bankruptcy order. He has filed a Notice of Appeal and requested for a record of proceedings.

25 The Applicant is in the meantime a Candidate for political office in Luwero District but has received an ultimatum from the Electoral Commission to have his candidature nullified, unless he shows cause otherwise. His position as the LC 5 Chair of Luwero district has also been placed under threat of being declared vacant on account of the Bankruptcy order issued against him.

30 At hearing of the Application, Counsel for the Applicant relied on and expounded upon the averments in the Affidavit in Support of the Application.

Premised on the grounds as stated in the Applications and the averments in the Affidavit in support and having carefully considered the submissions by Counsel regarding the circumstances of the matter, I am satisfied that MA 1266/2020 merits to be heard during this Court vacation.

35 The applicant is granted a certificate of urgency to enable MA 1266 of 2020 for stay of execution /implementation of a bankruptcy order to be heard on 5<sup>th</sup> January 2021, during this Court vacation.

The costs of the Application shall be borne by the Applicant.

I so order

40 Delivered at Kampala and signed copies for the parties placed on file this 30<sup>th</sup> day of December, 2020.

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**RICHARD WEJULWABWIRE**

45 **JUDGE**