

**THE REPUBLIC OF UGANDA**

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

**[COMMERCIAL DIVISION]**

**Civil Suit No.1086 of 2020**

**CITY OIL (U) LTD :::::::::::::::::::::::::::::::::::PLAINTIFF**

**VERSUS**

**ROKO CONSTRUCTION LTD:::::::::::::::::::::::::::::::::DEFENDANTS**

**BEFORE; HON. JUSTICE DUNCAN GASWAGA**

**JUDGMENT**

[1] This is a judgment on a claim for recovery of a liquidated sum of Ugx 237,600,000/= (Uganda Shillings Two Hundred Thirty Seven Million Six Hundred Thousand Only) and for costs of the suit. The cause of action arose as follows; the plaintiff in November and December 2019 the parties agreed for the plaintiff to supply fuel to the defendant and the plaintiff supplied fuel to the defendant to the tune of Ushs. 237,600,000 as agreed. The defendant was required to pay for the fuel but defaulted. The defendant issued cheques towards the clearing of the outstanding fuel debt but the same were dishonoured upon being

presented for payment. The defendant later presented a payment proposal dated 23/10/2020 which was accepted by the plaintiff on 28/10/2020. Thereafter, the plaintiff through her lawyers issued a demand for payment of the outstanding debt which the defendant received and ignored, the reason for this suit.

[2] It should be noted that the defendants filed M.A No. 40 of 2021 for leave to appear and defend which was later on 03/09/2021 dismissed for failure to disclose any triable issues warranting grant of the same.

[3] I have had opportunity once again to peruse the pleadings. I find that the evidence on record clearly establishes a debt of Ugx 237,600,000/= (Uganda Shillings Two Hundred Thirty Seven Million Six Hundred Thousand Only) owed by the defendants. The debt is not challenged.

[4] **Accordingly, I hereby enter judgment against the defendant in the following terms;**

- a) that the defendant pays to the plaintiff a sum of Ugx 237,600,000/= (Uganda Shillings Two Hundred Thirty Seven Million Six Hundred Thousand Only)**
- b) that an interest rate of 6% is hereby imposed on the sum in (a) above to apply from the date of Judgment till payment in full.**
- c) costs of the suit be paid by the defendant.**

**Dated, signed and delivered this 3<sup>rd</sup> day of September, 2021**

A handwritten signature in black ink, appearing to read 'Duncan Gaswaga', written over the printed name.

**Duncan Gaswaga**

**JUDGE**