

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT KAMPALA

[COMMERCIAL DIVISION]

Civil Suit No.1100 of 2020

ADAM SSEMPIJJA ::::::::::::::::::::::::::::::::::: 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 581,128,142/= (Uganda Shillings Five Hundred Eighty One Million, One Hundred Twenty Eight Thousand, One Hundred Forty Two) and for costs of the suit. The cause of action arose as follows; the defendant engaged the plaintiff to offer transport services of aggregate stones from its quarry in Bukerere to the batch plant at Nasser road in Kampala between January 2013 and August 2020. The plaintiff issued invoices for that period to the defendant for the total sum of Ugx 3,817,765,404/=(Uganda shillings Three Billion Eight Hundred Seventeen Million Seven Hundred Sixty Five Thousand Four Hundred Four). The defendant made several payments between 1st May 2013 and 13th August 2020 by cash and cheque totalling Ugx

3,236,637,262/= (Uganda Shillings Three Billion Two Hundred Thirty Six Million Six Hundred Thirty Seven Thousand Two Hundred Twenty Six) leaving an outstanding balance of Ugx 581,128,142/= (Uganda shillings Five Hundred Eighty One Million, One Hundred Twenty Eight Thousand, One hundred Forty Two) but despite several demands by the plaintiff the defendant has refused to pay, the reason for this suit.


[2] It should be noted that the defendants filed M.A No. 38 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 581,128,142/= (Uganda Shillings Five Hundred Eighty One Million, One Hundred Twenty Eight Thousand, One Hundred Forty Two) 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 581,128,142/= (Uganda Shillings Five Hundred Eighty One Million, One Hundred Twenty Eight Thousand, One Hundred Forty Two)
- b) costs of the suit be paid by the defendant.

Dated, signed and delivered this 3rd day of September, 2021


Duncan Gaswaga

JUDGE