

THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA AT KAMPALA  
MISCELLANEOUS CAUSE NO. 203 OF 2006  
IN THE MATTER OF AN EXPARTE APPLICATION FOR LEAVE TO APPLY FOR  
JUDICIAL REVIEW  
AND  
IN THE MATTER OF

1. AFRO-MOTORS LTD  
2. OKUMU-RINGA PATRICK ALOYSIUS        ::::: }

APPLICANTS

**VERSUS**

1. MINISTER OF FINANCE, PLANNING  
AND ECONOMIC DEVELOPMENT  
2. PERMANENT SECRETARY/SECRETARY        ::: RI }  
TO TREASURY, MINISTRY OF FINANCE,  
PLANNING AND ECONOMIC  
DEVELOPMENT  
PONDENTS

**BEFORE: AG. JUDGE REMMY K. KASULE**

**RULING:**

In the substantive cause before this Court, the applicant seeks an order of mandamus requiring the Respondents to perform a constitutional and public duty to pay monies the applicant claims from Government.

A ruling on the substantive application was due for delivery on 06.07.07. The same, though ready, was not delivered.

On that day; 06-07-07, Counsel for respondents filed a supplementary affidavit of the Honourable Attorney General and prayed that the hearing of the application be re-opened so that the evidence contained in the supplementary affidavit be taken into consideration by Court when deciding the matter.

Mr. Mohammed Mbabazi, learned counsel for the applicant left the decision within the discretion of Court. He however prayed that in case the hearing is re-opened he would cross-examine the deponents of the affidavits filed for and on behalf of the respondents.

Court has perused the supplementary affidavit of the Honourable Attorney General. It raises pertinent issues relevant to the matters court has to resolve upon in this application.

Since there is no objection by applicant to the re-opening of the hearing of the application, Court allows this application.

It is ordered that, the applicants, if they so wish, do file a reply to the supplementary affidavit within 7 days from the date hereof.

It is also further ordered that the Hon. Attorney General, Dr. E. Khiddu Makubuya and Mr. C. M. Kassami, Secretary to the Treasury, deponents of affidavits filed for and on behalf of the Respondents do attend Court on the 10-10-07 or thereafter for purpose of being cross-examined on the contents of their affidavits.

The costs of this application shall be in the cause as the substantive application is yet to be concluded.

**Remmy Kasule**

**Ag. Judge**

**10.10.07**