

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA
AT SOROTI

HCT-09-CV- CR. NO. 0005/2012

KIRYA MIKOLOSI.....APPLICANT

VERSUS

KULABAKO JOHN & 3 OTHERS.....RESPONDENT

RULING

BEFORE: HON JUSTICE MUSOTA STEPHEN.

The applicant Kirya Mikolosi filed this application for revision through M/S Ewatu and Co. Advocates. The orders sought to be revised are those of the LC.II Court of Labor Parish delivered on 27th February, 2012.

The grounds for revision as contained in the Notice of Motion are that:-

1. The said LC.II court of Labor Parish exercised jurisdiction not vested in law.
2. It is just and equitable that the said proceedings decision and orders be set aside.

After considering the submissions by Mr. Ewatu I am in a agreement with him that the LC.II court of Labor Parish had no jurisdiction to act as a court of first instance in a dispute between the parties hereto under Cr. S.II (1) of the Local Courts Act 2006 the LC.1 court regained their authority as courts of 1st instance where matters have to be instituted if the local Council court have jurisdiction.

By entertaining the dispute without jurisdiction the decision of the said LC.II Court was a nullity and has to be set aside. The judgment and orders of LC.II court of Labor parish LC.II court is quashed and set aside. A retrial is ordered in a court of competent jurisdiction.

Musota Stephen,

JUDE,

9.7.2012.