

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA  
AT KAMPALA  
MISC. APPLICATION NO. 920 OF 2012  
(Arising from Civil Suit No. 492 OF 2012)**

**ZENITH BUSINESS COLLEGE LTD .....APPLICANT**

**VERSUS**

**JIMMY PARMA NTANDA .....RESPONDENT**

**RULING BY HON. MR. JUSTICE JOSEPH MURANGIRA**

The applicant through its lawyers Birungyi, Barata & Co. Advocates brought this application against the respondent under order 41 rules 1 and 9 of the Civil Procedure Rules. This application is supported by the affidavit that was sworn by Protazio Begumisa on 3<sup>rd</sup> October, 2012. This application is seeking the following orders:

- 1. A temporary injunction against the Respondent and his agents restraining them from any further trespass; digging, clearing the land or in any way interrupting with the Applicant's use or ownership of the suit property comprised in Block 12, Plots 1058 and 1059 Kibuga Mengo until the final disposal of the main suit.**
  
- 2. That the costs of this application be provided for.**

The respondent through her lawyers Munabi & Co. Advocates filed an affidavit in reply to this application. In his affidavit in reply, he vehemently opposed this application

It is trite law that the granting of a temporary injunction is an exercise of judicial discretion and the purpose of granting the same is to preserve matters in status quo until the questions to be investigated are finally disposed of.

I have perused this application together with the affidavits evidence adduced by both parties, considered the submissions by both parties, and my findings are that this application has merit. The status quo must be maintained by the parties.

**Black's Law Dictionary, 8<sup>th</sup> Edition @ Page 1448** defines 'Status quo' to mean;

***"The situation that currently exists"***.

In this result and for the reasons advanced by the applicant's Counsel in his submissions and the affidavits evidence by the parties this application is accordingly allowed in the terms and orders being sought therein, with costs in the cause.

Dated at Kampala this 3<sup>rd</sup> day of May, 2013.

**sgd**  
**MURANGIRA JOSEPH**  
**JUDGE**