

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT KAMPALA

CIVIL DIVISION

MISC. APPLICATION NO. 618 OF 2014

(Arising from H.C.M.C 153 OF 2011)

(Arising from H.C.C.S No. 164 of 2004)

JASPER MAYEKU & 198 ORS ::::::::::::::::::::::::::::::: APPLICANTS

VERSUS

1. ATTORNEY GENERAL

2. JEFF LAWRENCE

3. JAMAL KITANDWE



::::::::::::::::::::::::::::: RESPONDENTS

BEFORE: HON. MR. JUSTICE STEPHEN MUSOTA

RULING:

After delivering my ruling Mr. Rwakafuzi learned counsel for the applicants orally applied for leave to appeal the ruling although the rules require that a formal application has to be filed in the circumstances. Learned counsel contended that serious issues especially on duress and undue influence were raised.

Both Mr. Madete and Mr. Matovu for the respondents opposed the application for leave to appeal. They argued respectively that the issues of duress and undue influence were not issues for determination by this court. That these were offshots to the courts findings. That if the

applicants wanted to appeal, they only have to appeal within the four issues raised at the trial in rejoinder, Mr. Rwakafuuzi clarified that he intended to appeal against all the four grounds including duress.

I have considered the application for leave to appeal. I note that learned counsel for the applicants wishes to appeal against all the findings on the grounds in the application. The grounds revolved around important legal points upon which I made my decisions. The applicants' wishes to test the findings at a higher level will not be unreasonably fettered. Accordingly, leave to appeal will be granted.

Stephen Musota

J U D G E

19.08.2015

Ruling delivered in the presence of Mr. Matovu John for the second and third respondent who are present.

Court Clerk Ms Naggayi Imelda

Festo Nsenga

Ag. Deputy Registrar

20.08.2015