

on the land and the suit will be rendered nugatory and (4) the suit stands a very high chance of success.

3. The Applicant was represented by Mr. McDusman Kabega of M/s. Tumusiime, Kabega & Co. Advocates and the Respondent was represented by Dennis Sembuya of M/s. Kasirye Byaruhanga & Co. Advocates.
4. The Respondent opposed this application through the affidavit in reply of Mr. Andrew Kasirye the director of the Respondent. He averred that the application is objectionable for being irregular, misconceived, bad at law and an abuse of court process. The agreement was made privately between the Applicant and a one B. Mudhusudhan Reddy who had no authority to enter into any transaction on behalf of the Respondent and that the Applicant has not purchased any assets for any purported project with the Respondent. The Respondent does not have to notify the Applicant before disposing off or dealing with its land as the lawfully registered proprietor. The Applicant will not suffer any irreparable damage as it is claiming a monetary sum of USD 200,000 which is a quantifiable figure that can be atoned in monetary terms.
5. For a temporary injunction to succeed, the applicant must demonstrate that he has a *prima facie* case with high chances of success and that if the injunction is not allowed, he would suffer irreparable loss. If in doubt of these two, then the Court makes a determination based on a balance of convenience.
6. At this stage I cannot tell if the Applicant has a *prima facie* case with high chances of success. I also cannot tell if the Applicant would suffer irreparable loss that the Respondent cannot atone in damages and costs. I will therefore make a determination on a balance of convenience.
7. The Applicant is wary that if the injunction is not granted the Respondent may sell or mortgage the suit land and the Applicant will be exposed to great inconvenience. In the circumstances of this case, to abate this possibility, a temporary injunction to maintain the status quo is necessary until court determines the main dispute between the parties.

Accordingly a temporary injunction is granted restraining the Respondent and/or his agents, servants, assignees and anyone acting under the authority of the Respondent from dealing with land comprised in Block 560 Plot 17 and Block 560 Plot 14 land at Mazzi, Luweero district in any way without the consent of the Applicant until the disposal of the main suit. Each party shall bear its costs.

I so order.

Lydia Mugambe
Judge
20th March 2019