

THE REPUBLIC OF UGANDA
IN THE INDUSTRIAL COURT OF UGANDA
CIVIL MISCELLANEOUS APPLICATION 13/2017

KAMPALA UNIVERSITYAPPLICANT

VERSUS

BALIMUNSI RONALD.....RESPONDENT

RULING

This application, by notice of motion, seeks for orders that the applicant be allowed to appeal not only on matters of law but on facts as well.

We were satisfied that the respondent had been served but failed to appear when the application came up for hearing and we allowed the applicant to proceed *ex parte*.

We listened to counsel for the applicant carefully and we perused the law under which the application was brought. **Section 94 of the Employment Act** provides for the right of appeal against the decision of the labour officer on matters of law and with leave of court on matters of fact.

In the absence of any response from the respondent in opposition of this application, we find no reason to withhold leave to the applicant.

Consequently the application is allowed and leave is granted to the applicant to appeal not only on matters of law but also on matters of fact. No order as to costs is made.

SIGNED

- 1) Hon. Ruhinda Asaph Ntengye, **Chief Judge**
- 2) Hon. Lady Justice Linda Lillian Tumusiime Mugisha

PANELLISTS

- 1) Mr. Bwire John Abraham
- 2) Mr. Mavunwa Edson Ham.
- 3) Ms. Julian Nyachwo

DATED: 21ST APRIL, 2017.