

**THE REPUBLIC OF UGANDA
IN THE INDUSTRIAL COURT OF UGANDA AT KAMPALA
MISC. APPLN. NO. 033 OF 2020
[ARISING FROM LABOUR DISPUTE CLAIM NO. 236 OF 2019]**

BETWEEN

- 1. ALINDA DIPHATH**
- 2. BYAMUKAMA POLYCARP.....CLAIMANT**

VERSUS

- 1. AFRICAN HUMANITARIAN ACTION (AHA)**
- 2. UNITED NATIONS HIGH COMMISSION FOR
REFUGEES(UNHCR).....RESPONDENT**

BEFORE

1. Hon. Chief Judge Ruhinda Asaph Ntengye
2. Hon. Lady Justice Linda Tumusiime Mugisha

PANELISTS

1. Mr. Bwire John Abraham
2. Mr. Mavunwa Edison Han
3. Ms. Julian Nyachwo

RULING

This is a ruling arising from an application by chamber summons seeking a representative order under **Article 126 (2) (e), Section 33 of the Judicature Act, Section 98 of the Civil Procedure Act and Order 1 r 188 of the Civil Procedure Rules**. It is supported by two affidavits sworn by the applicants.

On perusal of the application and both the affidavits in support and in opposition, it is clear that the application arose from a notice to show cause why execution should not issue before the Registrar. The Court record does not show whether the Registrar handled the application for a notice to show

cause and if she did what her decision was. It seems to us that when the matter went to the registrar for execution, somehow it transpired that there was need for this application. But we do not think that without proceedings before the Registrar arising from the notice to show cause, this court would entertain this application. It is the ruling of the registrar on a notice to show cause that would determine the next course of action of any of the parties.

Accordingly, the file is remitted back to the registrar to entertain a notice to show cause why execution should not issue.

Delivered & Signed:

1. Hon. Chief Judge Ruhinda Asaph Ntengye
2. Hon. Lady Justice Linda Tumusiime Mugisha

PANELISTS

1. Mr. Bwire John Abraham
2. Mr. Mavunwa Edison Han
3. Ms. Julian Nyachwo

Dated: 28/08/2020