

**THE REPUBLIC OF UGANDA**  
**IN THE INDUSTRIAL COURT OF UGANDA AT KAMPALA**  
**LABOUR DISPUTE REFERENCE NO. 189 OF 2015**  
**[ARISING FROM LABOUR COMPLAINT NO. CB/027/2015 - MBALE]**

**BETWEEN**

**MASABA RICHARD.....CLAIMANT**

**VERSUS**

**REGISTERED TRUSTEES**

**OF TORORO ACHIDIOCESE .....RESPONDENT**

**BEFORE**

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

**PANELISTS**

1. Mr. Rwomushana Reuben Jack
2. Ms. Mugambwa Harriet Nganzi
3. Ms. Rose Gidongo

**RULING**

This court made a ruling in a preliminary objection to the effect that at the time of the complaint there was no labour office in Manafwa. The court looked at all documents especially 008/4 that shows that one Oulma Charles who had been posted to Manafwa had died.

We agree with counsel for the claimant that submissions of counsel for the respondent were intended for the court of appeal and not for leave to appeal against the ruling of the court. This

case is a 2015 case in our court system and having ruled on a preliminary point, we do not think it will help the justice of the case to allow an appeal to the court of appeal on a preliminary point of law. The respondent has a right of Appeal in the main claim and will be at liberty to raise the issue in the main appeal. This will have the effect of releasing the matter from our court and therefore reducing on the case back long.

The respondent is overruled and the case shall go on in the main.

**Delivered & Signed by:**

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

**PANELISTS**

1. Mr. Rwomushana Reuben Jack .....
3. Ms. Mugambwa Harriet Nganzi .....
4. Ms. Rose Gidongo .....

Dated: 28/03/2019