



**THE REPUBLIC OF UGANDA**  
**IN THE INDUSTRIAL COURT OF UGANDA AT LIRA**  
**LABOUR DISPUTE REFERENCE NO. 08 OF 2021**  
*(Arising from Labour Dispute Ref No. LDLG/009 of 2021)*

**ONGIMA FRANCIS :::CLAIMANT**

**VERSUS**

**NEW UGANDA SECURICO LTD:::RESPONDENT**

**BEFORE:**

THE HON. MR. JUSTICE ANTHONY WABWIRE MUSANA,

**PANELISTS:**

1. MR. JIMMY MUSIMBI,
2. MS. ROBINA KAGOYE &
3. MR. CAN AMOS LAPENGA.

**AWARD**

[1] During the cross-examination of the Claimant, Mr. Jackson Ntwatwa appearing for the Respondent asked the Claimant whether he would have any claim if he were paid UGX 2,750,000/=. The Claimant answered that this would address his claim in full. Mr. Ntwatwa then applied to Court to enter judgment for the Claimant for UGX 2,750,000/=. Ms. Bridge Kusemerwa did not object to this point. She also asked the Court to grant the Claimant damages.

**Award:**

[2] Under Order 13 rule 6 of the Civil Procedure Rules S.I 71-1, any party may at any stage of the suit, where an admission of facts has been made, either on the pleadings or otherwise, apply to the court for such judgment or order as upon the admission he or she may be entitled to, without waiting for the determination of any other question between the parties: and the court may upon an application make such order, or give such judgment, as the court may think fit. In the case of **Mwebeiha Amatos vs. A.G [2015] UGHCLD 49 Per**

Legy


**Bashaija J.** stated, "It would appear clearly that where the admission of facts is clear and unambiguous, the court ceases to have the discretion whether to enter a judgment or not. It must do so"

- [3] Upon the admission of Mr. Ntwatwa, Counsel for the Respondent, and confirmation by the Claimant, an award is hereby entered in favour of the Claimant in the sum of UGX 2,750,000/= to be paid on or before the 20<sup>th</sup> day of March 2023.
- [4] Under **Section 8(2a)(d) of the Labour Disputes(Arbitration and Settlement) Amendment Act, 2020**, this Court is empowered to make such orders as to costs and other reliefs as the Court may deem fit. Accordingly, we grant the Claimant an award of UGX 250,000/= as additional compensation.
- [5] Regarding costs, we have held in **LDR 109/2021 Joseph Kalule v GIZ** that in employment disputes, costs may be granted where there is some form of misconduct or the action is frivolous, vexatious, or abusive. We note that the Respondent sought to resolve this matter quickly and is not culpable of any misconduct. Accordingly, we decline to grant the Claimants' costs of the claim. Each party shall bear its costs. It is so ordered.

Delivered at Lira this 27<sup>th</sup> day of February 2023


**DELIVERED AND SIGNED BY:**

**THE HON. JUSTICE ANTHONY WABWIRE MUSANA,**



**THE PANELISTS AGREE**

1. **MR. CAN AMOS LAPENGA,**



2. **MS. ROBINA KAGOYE &**



3. **MR. JIMMY MUSIMBI.**



Delivered in open Court in the presence of:

Ms. Bridge Kusemererwa for the Claimant. The Claimant is in Court.

Mr. Jackson Ntwatwa for the Respondent. The Respondent's Manager Lira, Deborah Ogutu, in Court.

Court Clerk: Mr. Samuel Mukiza.