

applicants for stay of execution. The first Application was filed by Hon. William Oketcho against George Owor. The second Application was filed by the Attorney General against George Owor. At the time of hearing the Application, we decided to consolidate the two Applications since they concerned the same subject matter and sought to stay Orders arising from the same Constitutional Petition.

Hon. Oketcho was represented by Mr. Peter Kabatsi, Mr. Joseph Matsiko, Mr. Alfred Okello Oryem and Mr. Medard Lubega Ssegona. The Attorney was represented by Ms. Patricia Muteesi, Principal State Attorney and Mr. Richard Adrole State Attorney. The Respondent George Owor was represented by Dr. James Akampumuza and Mr. Muzamiru Kibeedi.

During the hearing, counsel for the Applicants conceded that they were not asking for stay of the Order or Declaration that the Members of Parliament who were nominated as independent candidates when they had been elected to Parliament on party tickets, or those who were nominated as party flag bearers when they had been elected as independent to Parliament, vacated Parliament at time of nomination in accordance with Article 83 of the Constitution. We agree with counsel that this was a Constitutional obligation which binds Members of Parliament.

The only substantive Order which the Applicants sought to stay was the Order nullifying the nomination of the Applicant and other Members of Parliament in similar circumstances.

Upon considering the submissions made by counsel in these Applications we are satisfied that sufficient grounds have been shown upon which this court should exercise its discretion to stay the Order nullifying the nomination of the Applicant and other Members of Parliament in similar circumstances, until the substantive Application for stay of execution is disposed of.

Costs in these Applications shall abide the outcome of the Appeal.

Dated at Kampala this 11th day of **February, 2011.**

B.ODOKI
CHIEF JUSTICE

J.W.N. TSEKOOKO
JUSTICE OF THE SUPREME COURT

B. KATUREEBE

JUSTICE OF THE SUPREME COURT

C.N.B KITUMBA

JUSTICE OF THE SUPREME COURT

E.M.K. KISAAKYE

JUSTICE OF THE SUPREME COURT