

**IN THE FAIR COMPETITION TRIBUNAL
AT DAR ES SALAAM**



IN THE MATTER OF APPEAL NO.6 OF 2018

BETWEEN

RICHARD MCHIMBUGULU KABUDI.....APPELLANT

AND

TANZANIA ELECTRIC SUPPLY

COMPANY LIMITED.....1ST RESPONDENT

ENERGY AND WATER UTILITIES REGULATORY

AUTHORITY (EWURA)2ND RESPONDENT

JUDGMENT

The appellant hereinabove being aggrieved by the decision of the Energy and Water Utilities Regulatory Authority ("EWURA") dated 9th of May 2017 has lodged this appeal on the following grounds:

(a) That the adjudicating Authority (EWURA) erred in law and fact by failing to consider the Appellant's evidence on pretext that it was hearsay evidence and contradictory.

(b) That the adjudicating Authority erred in law and fact by applying double standard in accepting and considering the evidence adduced by the Respondent and ignoring that of the appellant as regard to the source of fire and thereby reaching to unfair decision.

(c) That the adjudicating Authority erred in law in basing its decision on the report of fire and safety team which reached the scene of event long time after the incident and which does not explain how they reached to their conclusions, particularly the facts and assumptions underlying the conclusions that fire started from the kitchen.

(d) That the adjudicating Authority erred in law by considering the evidence of RW2 which is basing on hearsay evidence and which is self-contradictory as to the source of fire.

(e) The adjudicating Authority erred in law by denying the appellant's advocate prayer to adjourn the hearing to give him ample time to familiarize himself with the facts of the case and consequently technically curtailing the appellant's right to representation and fair hearing.

(f) The adjudicating Authority erred in law by refusing to admit and consider the evidence given by the Appellant side

which is direct evidence from witnesses who saw the evidence especially CW2 and CW3.

(g) The adjudicating Authority erred in law by basing its decision on investigation which was not properly conducted in order to help them to reach into the fair decision.

(h) That the adjudicating Authority erred in law by denying the appellant the right to call material witness who observed the incident on pretext that the adjudicating Authority had no enough time to wait for a witness from Lindi, and

(i) That the adjudicating Authority erred in law and fact by failing to consider the arguments of the parties and analyzing the evidence given by the parties.

The appellant prays that this appeal be allowed with costs, the decision of EWURA be set aside and an order for compensation in favour of the appellant be granted accordingly. Both respondents filed their replies to the appellant's Memorandum of Appeal pursuant to Rule 19(1) of the Fair Competition Tribunal Rules, 2012. Basically, the 1st respondent disputed the appellant's grounds of appeal and supported the decision of the 2nd respondent ("EWURA"). The 2nd respondent also, maintained that its decision was fair and justifiable.

For easy of reference and understanding of the coming discussion on the determination of the aforesaid grounds of appeal, we think it is imperative to have the brief background to this appeal which is stated hereunder.

On 6th of January 2015, the appellant's House located on plot No. 7, Area "C" in Dodoma Municipality, in Dodoma Region, by then, was destroyed by fire. At the time when fire erupted no one was at the house. The appellant alleged that on the fateful day he left his residence at 5.00am. His wife and one child were asleep in the house. At around 6.45am, he was informed by his neighbor, one Alphonse Rwegasira Mutajwaa that his house was on fire. He rushed back home, only to find that his house was on fire and noted that his wife had escorted their son to a bus stop, thus there was no one in the house.

The appellant alleged further that Mr. Alphonse Rwegasira Mutajwaa informed him that fire started with some sparks at the pole supplying electricity to his house. In addition to the above, the appellant alleged that all of his properties in the house were destroyed by fire. Thus, he wrote a letter to Tanzania Electric Supply Company Limited (the 1st respondent herein) claiming for compensation. The 1st respondent declined to heed to the appellant's claims. Consequently, the appellant lodged his complaints to the 2nd respondent claiming for compensation to a tune of Tshs. 150,168,500/=.

At the hearing of the appellant's complaints, before the 2nd respondent the appellant testified himself as CW1 together with two witnesses namely Alphonse Rwegasira Mutajwaa who testified as CW2 and Jeremiah Paulo Masiai who testified as CW3. The appellant tendered five exhibits, to wit, a demand for payment of compensation from the appellant's advocate addressed to the 1st respondent, dated 10th February 2015, (Exhibit C-1), a demand notice letter for payment of compensation from the appellant's

advocates addressed to the 1st respondent dated 16th April 2015 (Exhibit C-2), A letter from the 1st Respondent addressed to the appellant, denying liability for the losses suffered by the appellant, dated 23rd June 2016 (Exhibit C-3), List of items destroyed by fire (Exhibit C-4) and a valuation report (Exhibit C-5).

On the other hand, the 1st respondent called two witnesses namely Robert Frank and Salum Ahmed Gude who testified as RW1 and RW2 respectively. Also, tendered two Exhibits to wit, an Investigation report (Exhibit R-1) and Fire Fighters Report (Exhibit R-2)

The issues framed for determination were as follows;

- (i) Whether the fire that gutted the Complainant's (the appellant herein) house was caused by electricity.
- (ii) Whether the respondent (1st respondent herein) was responsible for the fire.
- (iii) What reliefs are the parties entitled to.

In its decision, the 2nd respondent dismissed the appellant's complaints; thus, the appellant lodged this appeal.

At the hearing of this appeal, the appellant was represented by the learned advocate Geoffrey Paul, while the learned Advocates Theresia Masangya and Hawa Lweno appeared for the 1st and 2nd respondents respectively.

All counsels filed their skeleton arguments pursuant to Rule 28(1) of the Fair Competition Tribunal Rules, 2012. Mr. Paul argued the 1st and 6th

grounds of appeal together. He submitted that 2nd respondent erred for failure to consider the testimony of CW1 on the reason that it was a hearsay evidence and contradictory. Mr. Paulo contended that the 2nd respondent was supposed to consider the whole of the evidence adduced in its totality. He argued that the reason given by the 2nd respondent for ignoring the testimony of CW1 was that when they visited the *locus in quo*, they found that some of the things in the house were intact while CW1 said that the whole house was burnt by fire. Mr. Paul was of the view that CW1's testimony was not contradictory since, Exhibit R-2 (Fire Fighters Report) which was tendered by RW1 was to the effect that the whole house was burnt by fire.

Mr. Paul argued further that the 2nd respondent also erred for refusing to admit the pictures that were taken during the incidence and were intended to be tendered by CW1, while there was no objection to the tendering of the same. To cement his argument, he referred this Tribunal to the case of **The DPP Vrs Mirzai Pirbakhshi and 3 others, Criminal Appeal No. 493 of 2016** (unreported), in which the Court of Appeal said the following;

"..... The test for tendering the exhibit therefore is whether the witness has the knowledge and he possessed the thing in question at some point in time, albeit shortly. So, a possessor or a custodian or an actual owner or alike are legally capable of tendering the intended exhibits in question provided he has the knowledge of the thing in question".

Mr. Paulo argued the 2nd, 3rd, 4th and 7th grounds together. He submitted that the 2nd respondent used double standard in receiving and analyzing the evidence tendered by the parties. Mr. Paul contended that the testimonies of CW1 and CW2 regarding the source of fire was not considered at all and the pictures and technical report (Exhibit R1) that were tendered by RW2 were admitted in evidence while RW2 was not the maker of the same. To buttress his arguments, he referred this Tribunal to the case of **Mathew Stephen Lawrence Vs. Republic, Criminal Appeal No.9 of 2007** (unreported), in which the Court of Appeal allowed the appeal, quashed the conviction and set aside the sentence for the reason that the Trial Judge had a double standard approach in the evaluation / assessment of evidence and the case of **National Oil (Tanzania) Limited Vs. The Energy and Water Utilities Regulatory Authority**, Tribunal Appeal No.6 of 2012, in which this Tribunal quoted with approval its ruling in the **Oryx Vs EWURA, Appeal No 1/2010** and **BP vs EWURA, Appeal No 2 of 2010** (All unreported) in which it said as follows;

"..... It would be indeed be a fallacy and unjust to condone the lapses by a regulator in observing the rules while at the same time penalizing a regulated supplier for an alleged offence under the same rules. Such conduct would surely amount to an application of double standards"

Mr. Paulo was of the view that the 1st respondent's testimony was more contradictory than the appellant's testimony. He argued that Exhibit R2 does not state how the fire started and no reasons have been given to support the findings in the report. Mr. Paulo argued further that, while the report indicates that the source of fire is unknown, it goes further to indicate that fire started in the Kitchen without providing any justification for such a finding.

As regards the 5th and 8th grounds of Appeal, Mr. Paul submitted that 2nd respondent's refusal to grant the prayer for adjournment of the case for a period requested by the appellant, affected the appellant's rights to be heard properly. Mr. Paulo contended that the adjournment that was granted was too short since the appellant's advocate Mr. Rweyongeza had withdrawn from representing him, so he deserved to be granted a longer adjournment of the case as he requested.

Submitting on the 9th ground of appeal Mr. Paulo contended that the 2nd respondent erred for not considering the submissions made by the parties. He invited this Tribunal to allow this appeal with costs.

In rebuttal the learned advocate Theresia Masangya, for 1st Respondent submitted that there is not dispute that when fire started CW1 was not at the scene. She contended that CW1's, CW2's and CW3's testimonies were contradictory to each other since, CW3's testified that he saw sparks at the bracket. It sparked twice and the third time he saw smoke and fire, while

CW2's testified that on the fateful day, while coming from the church, upon approaching Kabudi's house (the appellant herein) he saw sparks at the Tanesco Pole and he run home to take his digital camera, and managed to take about five picture. On the other hand CW1 testified that he was informed by CW2 that problem started at the bracket. To cement her arguments she referred us to relevant parts of the proceedings containing the testimonies of CW1,CW2 and CW3, (pages 4,12 and 16 of the proceedings)

As regards the pictures, Ms. Masangya submitted that the 2nd respondent ordered the pictures to be tendered by CW2 who took them, thus the appellant was granted the opportunity to tender the pictures, but surprisingly he did not use that opportunity to tender the pictures.

On the evaluation/consideration of the evidence, Ms Masangya submitted that the 2nd respondent considered all the evidence tendered including the evidence of CW1 and made a finding that the CW1's testimony was not useful and contradictory. Furthermore, she argued that CW1's testimony was to the effect that everything was burnt by fire , it contradicted the evidence of CW3 who said that they managed to rescue few things such as mattress and few clothes.

Ms. Masangya proceeded to argue that the report (Exhibit R1) is not contradictory and the award was not based solely on Exhibit R1, but was based on other information gathered by the officers from the 1st

respondent at the division level after visiting the *locus in quo*. She contended that 2nd respondent did its assessment on what would have caused the fire and the fact that some properties were rescued from the bedroom, supports the 2nd respondent's finding that fire started at the kitchen.

In addition to the above Ms. Masangya submitted that the appellant's complaint on the period of adjournment granted to him is unfounded, since his prayer for adjournment was granted. The hearing was adjourned to another date and there was no formal notification to the 2nd respondent that the appellant's advocate, Mr. Rweyongeza had withdrawn from representing him, contended Ms. Masangya, she invited this Tribunal to dismiss this appeal with costs.

Ms. Lweno, submitting in opposition to the appeal subscribed to the submissions made by Ms Masangya and went on to argue that CW1's testimony was hearsay evidence and contradictory. Ms. Lweno, proceeded to submit that, at the hearing, CW2 told the 2nd respondent that he saw sparks at the pole while CW3 said that he saw sparks at the brackets and CW1 testified that he was told by CW2 that fire started at the bracket. Ms Lweno submitted further that during the visit at the *locus in quo*, it was discovered that both the pole and the brackets were not affected by fire and that the pictures (Exhibit R1) showed that the roof was intact, while CW1 testified that the whole house was completely burnt down. Ms Lweno

insisted that there were clear contradictions in the testimonies of CW1, CW2 and CW3

As regards evaluation of the evidence, Ms. Lweno submitted that there was no any double standard in the evaluation of the evidence. All evidence adduced by the parties was considered. The Pictures (Exhibit P5) supports the 2nd respondent's findings that fire started in the kitchen, contend Ms. Lweno. She argued further that, the evaluation report tendered showed that the room was intact and the appellant was present during the investigations. The appellant was not barred from doing private investigation. Ms. Lweno contended that the appellant had an opportunity to call the investigator at the hearing for cross examination but he did not do so.

In addition to the above, Ms. Lweno argued that the appellant's prayer for adjournment was granted ,but the case could not be adjourned for two weeks as prayed by the appellant, since it was too long and 2nd respondent was not informed that the learned Advocate Rweyongeza who was representing the appellant had withdrawn from the conduct of the case.

In rejoinder, Mr. Paul submitted that there was no any contradiction between CW2's and CW 3's testimonies. CW2 said that he saw sparks at the brackets while CW3 said he saw sparks at the pole. Mr. Paul contended that these people are not experts, thus they have not to use the proper terms/or words in their explanations. Furthermore, Mr. Paul contended that

the fact that some items were rescued does not mean that the house was not completely burnt. Mr. Paul argued further that the report did not make any reference to the pictures (Exhibit R.1) and the interpretation of the pictures is subjective, it depends on the understanding of a person looking them, thus a more technical explanations were expected to be brought forward by the 2nd respondent to clear the doubts and queries surrounding this matter, in particular the source of fire.

Having analyzed the submissions made by the parties herein, we have noted that in this appeal there are four major areas of complaint, to wit;

- (i) That the 2nd respondent failed to make a fair and proper analysis of the evidence adduced.
- (ii) That the 2nd respondent erred to make a finding that fire started in the house not outside at the bracket or pole.
- (iii) That the appellant was wrongly denied opportunity to tender the Pictures taken on the fateful day and to call his witness who was in Lindi.
- (iv) That the 2nd respondent erred for not considering the final submissions made by the parties.

Starting with first area of complaint that is, the 2nd respondent failed to make a fair and proper analysis of the evidence adduced. The analysis of

the evidence done by the 2nd respondent shows that the CW1's testimony is a hearsay because he was not at his house when fire started. In his testimony CW1 testified that when the fire started, he was at Jamhuri Stadium. That his neighbor Mzee Mutajwaa is the one who informed him that his house was on fire. Thereafter, he rushed home. For easy of reference; let us reproduce part of CW1's testimony;

"CA: When the house was burning where were you?"

CW1: I was at Jamhuri Stadium.

CA: who was in the house

CW1: There was no one in the house.

CA: You stated that you were not present when the house was burnt. How were you informed of the house burning?

CW1: The neighbours informed me.

CA: Who exactly informed you?

CW1: Mzee Mutajwaa, I think his first name is Pastory and Jeremiah".

CA: did you ask the source of fire was?

CW1: Honestly , I was not ok at that time and there were a lot of people. I was confused for a while. It was around 5pm , I accepted what happened . Mzee Mutajwaa came to me and he told me that the problem started from the bracket. He even showed me the pictures he had taken on the bracket.

CA: what happened at the bracket

CW1: There were sparks that led to fire.

(emphasis is ours)

Also, the records show that CW2 (Mr. Alphonse Lwegasira Mutajwaa) testified that sparks started at the pole while CW3 testified that he saw sparks at the brackets. On the other hand CW1 testified that he was informed by Mzee Mtwajaa (CW2) that problem started from the brackets, there were sparks that led to fire and that Mzee Mtwajaa gave him the pictures that he took. We think it worthy reproducing hereunder , part of the testimonies of CW2 and CW3 on this aspect.

"CW2: What I remember is that, on that day at 7 am, I was coming from the church and when I got close to Kabudi's house I saw sparks at TANESCO's Pole and I ran to get my digital camera and took about 5 pictures.

"CA:Where were the sparks?

CW2: At the electricity Pole. The fire was burning the meter and it kept on spreading.

CA: are you saying that the sparks were at the Pole?

CW2: The Sparks were at the Pole which had wires leading to the house. I took pictures of the incident....."

(emphasis is ours)

• **CA:** You said on 6th January 2016, a house burned did you see the house burn or how did you know that the house burned?

• **CW3:** I saw it when I was close to that house

CA: How far is it?

CW3: 50 meters

CA what did you see at that time?

CW3: I saw sparks at the bracket as it was earlier in the morning. It sparked twice and the third time I saw smoke and fire. I left towards the house."

(Emphasis is ours)

According to the findings of the 2nd respondent, the above discrepancies in the testimonies of CW1, CW2 and CW3 amounted to contradictions of their testimonies. Looking at the relevant parts of the testimonies of CW1, CW2 and CW3 reproduced herein above, it is evident that their testimonies are contradictory, we are saying so because what CW2 testified before the 2nd respondent is different from the information he gave to CW1 that the problem started from the bracket. Mr. Paul's arguments that CW1, CW2 and CW3 are not experts cannot hold water because the issue at hand was not technical, in fact the record shows that CW2 knew the difference between the bracket and the Pole. When he was asked which kind a pole; he responded with certainty that the pole he was referring to the normal

wooden pole and insisted that sparks started at the pole. The relevant part of CW2's testimony is reproduced hereunder;

CA: *What kind of a pole was it*

CW2: *The normal wooden Pole.*

CA: *Do you have power at your house?*

CW2: *Yes*

CA: *Do you know the difference between a pole and a bracket?*

CW2: *That might be too technical. The wire go from the pole to the bracket to the wire to the meter.*

During cross examination CW2 responded as follows;

Labaa: *How far is the pole from the house?*

CW2: *Not more than 10 meters I think*

Labaa: *It is close to the fence,*

CW2: ***The Pole is outside the fence. So maybe one or two meters between the fence and the pole...***"

(emphasis is ours)

Likewise, CW3 in his response to the questions posed to him showed that he knew the difference between a pole and bracket.

In addition to the above CW1 testified that the whole the house was burnt down by fire and everything destroyed while the Valuation Report which

contained pictures (Exhibit C5) tendered by CW1 shows that the roof was intact. This is another valid contradiction pointed out by the 2nd respondent. In fact there are number of contradictions in the testimonies of CW1, CW2 and CW3 which we cannot reproduce all in this judgment as it will make this judgment unnecessarily long. Suffice it to say that on the aspect of the contradictions of the evidence as aforesaid we do not see any reason to fault the 2nd respondent's analysis of the evidence and its findings that the evidence of CW1 was hearsay, contradictory and not of much helpful in the determination of the case.

As regards the second area of complaint that is, the 2nd respondent erred to make a finding that fire started in the house, the 2nd respondent's findings were based on among other things on the fact that after visiting the *locus in quo* they found that the fire was more intense in the kitchen and lounge compared to other places in the house and the roof was left unharmed when the fire was put off. CW1 confirmed before 2nd respondent that he removed the roof himself for fear of theft. Also, during the aforesaid visit the 2nd respondent found the insulated cables from the LUKU meter were burnt, but the insulate cables from the pole were lying down unaffected by the fire. The bracket receiving power to house had been stolen. The 2nd respondent was of the view that, even if the bracket was burnt by fire, it could easily be affected by fire coming from the house.

We had opportunity to see the pictures (Exhibit R1) which show that neither the bracket nor the fascial board were destroyed by fire. No

plausible explanations were offered by the appellant's advocate to counter the above facts on what was found during the visiting at the *locus in quo* as stated in the award. We find that Mr. Paul's argument that the interpretation of pictures is subjective to be of no substance since the picture (Exhibit R1) just show the status/condition of the house after the incidence, thus they do not need any expertise interpretation.

We have noted that, it is true the report does not state the source of fire, but still the reasoning of 2nd respondent on whether the fire started in the house or outside the house and its finding that fire started in the house makes sense, and it is logical basing on what was found during the visit at the house which was done in the presence of the appellant and the pictures (Exhibit R1). The appellant did not deny what was alleged to have been found during visitation of the house. We are not in a position to doubt what was found by the 2nd respondent when they visited the appellant's house.

In addition to the above, RW2 who is a technician who went to the house immediately after the incidence on the fateful date, his testimony was to the effect that 1st respondent's infrastructure was not affected by the fire. We think for better understanding of what we have explained here in above, it is prudent to reproduce part of RW2 testimony hereunder;

"RA: What were you investigating?"

RW2: I was looking at our infrastructure and how they had been affected

I looked at the pole and there was no problem there nothing had Burned. I looked at the wire from the pole to bracket it was intact. I looked at the area around the bracket and the wood surrounding The bracket, it did not burn, the fire just brushed across it. I looked Inside the house, the kitchen and the sitting room were burned Especially the kitchen was severely burned. It looks like fire started Form inside to outside."

From the foregoing and under the circumstances, it is our finding that the 2nd respondent was justified, to make a finding that fire might have been caused by unattended electric boiler, iron or cooker which were left on with no one at home. There are no any sufficient reasons adduced by the appellant to move this Tribunal to fault the finding of the 2nd respondent on this aspect. We noted the appellant failed to prove its case to the standard required by the law. No evidence was adduced to prove that fire started from the bracket or pole. The law is very clear, he who alleges has to prove [see Section 110(1) of the Evidence Act, cap 6 R.E 2002]. As correctly said by the 2nd respondent the evidence of CW1 was not helpful as it was contradictory to the testimonies of his witnesses.

As regards the third area of complaint, that is, that the appellant was wrongly denied to tender the Pictures he had and to call his witness who was in Lindi the records show that the 2nd respondent ordered those pictures to be tendered by CW2 who was yet to testify and was the one who took them. We do not see anything wrong with that order since the

• appellant was given opportunity to tender the pictures. After all, (Rule 16(6) of the Energy and Water Utilities Regulatory Authority (Consumer Complaints Settlement Procedure) Rules, 2012) gives the 2nd respondent power to regulate its proceedings. Thus, at this stage we cannot fault the order that was issued under the discretionary powers of the 2nd respondent so long as the appellant was not denied the opportunity to tender the pictures. CW2 failed to tender the pictures has not being supported by sound reasons. The appellant knew that CW2 was supposed to tender the pictures and according to the proceedings he had them, now it leaves a lot to be desired as to why he did not give CW2 the pictures so that he could tender them as directed by the 2nd respondent.

Also, Mr. Paulo raised a concern that RW2 was allowed to tender the pictures which were not taken by him, the record shows that the pictures tendered were taken by RW2 and the same were tendered together with the investigation report which was prepared by RW2. The relevant Part of RW2 testimony is reproduced hereunder;

"RW2: I found the house burned and the fire had been put out. I investigated.

RA: Whom did you find there?

RW2: I found people staring at the house and I asked them what had happened but they said they had found the house burned. So, I took pictures and tried to find the source. Mr. Kabudi arrived shortly and went into the house after, but I did not get any information.

RA: What did you do after investigation.

RW2: I went back to the office to prepare a report and to inform the headquarter and follow other procedure.

RA: Would you like to tender the report and the pictures to be used as exhibits

RW2: yes

Chairman: Any objection?

CA: No Objection"

We have noted that no evidence in the records that supports the appellant's allegation that he was denied the opportunity to call his witness from Lindi and Mr. Paulo in his submission did not give any explanations on this point. Thus, we take it to be unfounded.

Also, we wish to point out that Mr. Paulo's argument that there was double standard in the admission of exhibits is unfounded and has no merit. As we have demonstrated herein above, the record shows clearly that the pictures and the report was made by him admitted in evidence were prepared by RW2, so it was proper for the same to be tendered by RW2. On the other hand, CW1 was accorded opportunity to tender his pictures through the one who took them (CW2) but he opted not to tender them. Thus, he sat on his own right and the 2nd respondent cannot be blamed for

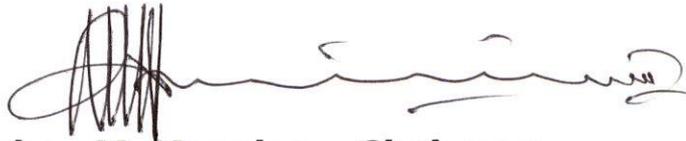
- that. For the aforesaid reasons, the cases referred to us by Mr. Paulo on this point are irrelevant and distinguishable from the case in hand.

We are of a settled view that Mr. Paulo's complaint on the short adjournment is not meritorious, since, as correctly submitted by the learned Advocate Ms Lweno and Masangya, there was no any communication made to the 2nd respondent to the effect that the appellant's advocate Mr. Rweyongeza had withdrawn from the conduct of the case. Thus, we cannot fault the 2nd respondent for the short adjournment granted to the appellant.

As regards, the fourth area of complaint that is, the 2nd respondent erred for not considering the final submissions made by the parties, we have noted that in its award, the 2nd respondent has not referred to the final submission made by the parties. However, we are of a settled view that failure to consider the final submission have not prejudiced the appellant since both final submissions were no considered, by so saying it should not be misunderstood that we are condoning the 2nd respondent's act of ignoring the final submissions made by the parties. We have read the final submissions made by the parties at the trial and we are of the view that looking at the evidence adduced at the trial, there are no arguments in final submissions that can change the findings that the appellant failed to prove his claims against the 1st respondent to the standard required by the law.

In the final analysis this appeal is dismissed in its entirety with costs.

Dated at Dar Es Salaam this 27th day of May 2019.



Hon. Stephen M. Magoiga – Chairman



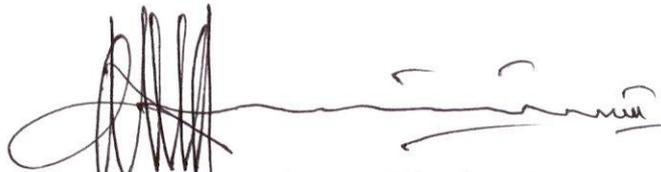
Hon. Butamo K. Phillip – Member



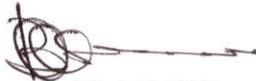
Hon. Yose J. Mlyambina – Member

27/5/2019

Judgment read in open chamber today 27th day of May, 2019 in the presence of Mr. Robert Orton Legal Officer of the 1st Appellant and Ms. Hawa Lweno, Advocate for the 2nd Respondent.



Hon. Stephen M. Magoiga – Chairman



Hon. Butamo K. Phillip – Member



Hon. Yose J. Mlyambina – Member

27/5/2019