

IN THE COURT OF APPEAL OF ZAMBIA  
HOLDEN AT NDOLA ON 21<sup>ST</sup> NOVEMBER, 2018 AT 09:00 HOURS  
(Appellate Jurisdiction)

The Hon. Mrs. Justice F. M. Chisanga – Judge President

The Hon. Mr. Justice C. F. R. Mchenga – Deputy Judge President

The Hon. Mrs. Justice C. K. Makungu

The Hon. Mr. Justice J. Chashi

The Hon. Mrs. Justice F. M. Chishimba

The Hon. Mrs. Justice J. Z. Mulongoti

The Hon. Mr. Justice D. L. Y. Sichinga,

The Hon. Mr. Justice M. M. Kondolo,

The Hon. Madam Justice F. M. Lengalenga

The Hon. Mr. Justice M. J. Siavwapa

The Hon. Mrs. Justice P. C. M. Ngulube

The Hon. Madam Justice B. M. Majula



---

## CIVIL CAUSE LIST

---

### NEW CIVIL APPEALS BEFORE JUDGES TO BE NAMED LATER

1. **APPEAL 55/2018**  
Josephine Lemisa 1<sup>st</sup> Appellant  
B & J Poultry Farm Limited 2<sup>nd</sup> Appellant  
And  
Hellen Malama Labanya Respondent

2. **APPEAL NO. 57/2018**  
Luken Investment Appellant  
And  
Ratoyar Limited 1<sup>st</sup> Respondent  
Yared Teckle Mariam Yemene 2<sup>nd</sup> Respondent  
Desta Teckle Mariam Yemene 3<sup>rd</sup> Respondent  
Simret Buza Ghebresilassie 4<sup>th</sup> Respondent  
Yemane Raiwa 5<sup>th</sup> Respondent
3. **APPEAL NO 58/2018**  
S. P. Mulenga Investment Ltd Appellant  
And  
Weluzani Zulu Respondent
4. **APPEAL NO. 59/2018**  
Kalumbila Minerals Limited Appellant  
And  
Bupe Kabamba Respondent
5. **APPEAL NO. 60/2018**  
T.S. Tyre Services Limited Appellant  
And  
Trans Africa Ventures Limited 1<sup>st</sup> Respondent  
Escon Tembo 2<sup>nd</sup> Respondent
6. **APPEAL NO. 61/2018**  
Manyando Mutumwa Appellant  
And

- |                                     |                            |
|-------------------------------------|----------------------------|
| The University Teaching Hospital    | 1 <sup>st</sup> Respondent |
| The Ministry of Health Headquarters | 2 <sup>nd</sup> Respondent |
| The Attorney General                | 3 <sup>rd</sup> Respondent |
| <b>7. APPEAL NO. 62/2018</b>        |                            |
| Griver Chola Sikasote               | Appellant                  |
| And                                 |                            |
| Southern Cross Motors Limited       | Respondent                 |
| <b>8. APPEAL NO. 65/2018</b>        |                            |
| Ben Socks Kondowe                   | Appellant                  |
| And                                 |                            |
| Kondwelani Zulu                     | 1 <sup>st</sup> Respondent |
| Emelda Katungu                      | 2 <sup>nd</sup> Respondent |
| Lusaka City Council                 | 3 <sup>rd</sup> Respondent |
| <b>9. APPEAL NO. 67/2018</b>        |                            |
| Davies Chilundika                   | Appellant                  |
| And                                 |                            |
| Kansanshi Mining PLC                | Respondent                 |
| <b>10. APPEAL NO. 68/2018</b>       |                            |
| Victor Bweupe                       | Appellant                  |
| And                                 |                            |
| Zambia National Commercial Bank     | Respondent                 |

11. **APPEAL NO. 69/2018**  
Investrust Bank Plc Appellant  
And  
Monica Mumba Respondent
12. **APPEAL NO.72/2018**  
Edwell Makunga Sinkala Appellant  
And  
Tropics Limited Respondent
13. **APPEAL NO. 73/2018**  
James Chaponda Banda Appellant  
And  
Beatrice Zulu Respondent
14. **APPEAL NO. 75/2018**  
Aayatin Investments Limited 1<sup>st</sup> Appellant  
Bashi Ali 2<sup>nd</sup> Appellant  
And  
Zhang Ling Ling Respondent
15. **APPEAL NO.76/2018**  
Brandon Kayula Chikankatika Appellant  
And  
ZCCM Investment Holding PLC Respondent
16. **APPEAL NO. 77/2018**  
Muvi TV Limited Appellant  
And  
Charity Katanga Respondent

17. APPEAL NO.78/2018

Lilian Kasonkomona & 69 Others  
And

Appellant

Metal Fabrication of Zambia PLC

Respondent

18. APPEAL NO. 79/2018

Oliver Chilufya

1<sup>st</sup> Appellant

Arnold Chileshe

2<sup>nd</sup> Appellant

Laston Mwaba

3<sup>rd</sup> Appellant

And

Nicholas Smith Lwanda

Respondent

**Matters adjourned for November .**

19. APPEAL NO. 104/2018

Jonathan Van Blerk

1<sup>st</sup> Appellant

DennyNyoni (Suing as administrator  
of the estate of Violet Nyoni)

2<sup>nd</sup> Appellant

And

The Attorney General

1<sup>st</sup> Respondent

Lusaka City Council

2<sup>nd</sup> Respondent

Legacy Holding Limited

3<sup>rd</sup> Respondent

Kwik build Construction

4<sup>th</sup> Respondent

Bantu Capital Corporation Ltd

5<sup>th</sup> Respondent

Before: JP, CKM, MMK

Matter for Hearing

20. Appeal No. 151/2017

Alex Lwando

Appellant

And

Julie Kambikambi Lwando

1<sup>st</sup> Respondent

Mathews Mwansa Mulengu

2<sup>nd</sup> Respondent.

Before: JP,CKM,MMK

Matters for judgment

CLEMENT LUBASI.

Clerk of Session.

## LAWYERS

- Messrs Batoka Chambers, Appeal No. 55/2018, Lusaka  
Messrs Mwenye & Mwitwa Advocates, Appeal No. 55/2018, Lusaka
- Messrs Lungu Simwanza & Company, Appeal No. 57/2018, Lusaka  
Messrs P H Yangailo & Company, Appeal No. 57/2018, Lusaka
- Mesdames CKM Associates, Appeal No. 58/2018, Lusaka  
Messrs Legal Aid Board, Appeal No. 58/2018, Lusaka
- Messrs Pasi Associates, Appeal No. 59/2018, Kitwe  
In person, Appeal NO. 59/2018, House No. A1-66, Mindolo, Kitwe
- Messrs Nkusuwila Nachalwe Advocates, Appeal No. 60/2018, Lusaka  
In person-Plot 1213, Appeal No. 60/2018 Mulilakwenda Road,  
Light Industrial Area, Kitwe  
In person- Appeal No. 60/2018 House No. 3419, Ndeke Tournament, Ndola
- In person-Matero Flat 22C, Appeal No. 61/2018, Chitanda Road  
Cell No. 097753100, Lusaka  
Ministry of Health Headquarters, Appeal No. 61/2018, Lusaka.  
Messrs Attorney General, Appeal No. 61/2018 Lusaka
- Messrs Ellis & Company, Appeal No. 62/2018, Lusaka  
Messrs A.D. Mwansa Mumba & Associates, Appeal No.62/2018, Lusaka
- Messrs Besa Legal Practitioners, Appeal No. 65/2018, Lusaka

In person Gideon Zulu Appeal No. 65/2018, House No. 25/2

George compound, Lusaka

- Messrs Mumba Malila & Partners, Appeal No. 67/2018, Solwezi.  
Messrs Kalokoni & Company, Appeal No. 67/2018, Lusaka
- In person Appeal No. 68/2018: House No. 4118, Lundazi Road, 0962  
513438/0977 513438, Livingstone  
Messrs BCM Legal Practitioners Appeal No. 68/2018, Lusaka
- Messrs HBM Advocates: Appeal No. 69/2018.0977698041, Lusaka  
Messrs Frazer & Associates, Appeal No. 69/2018. Lusaka
- In person, House No. 5986, Appeal No. 72/2018 New Mushili, Ndola  
Messrs Kitwe Chambers, Appeal No. 72/2018, Kitwe
- Messrs Legal Aid Board, Appeal No. 73/2018, Ndola  
Messrs V K Mwewa Advocates, Appeal No. 73/2018, Ndola  
R/A 208, Hombwe Mufulira
- Messrs Mulungushi Chambers. Appeal No. 75/2018, Lusaka  
Messrs Mumba Malila & Partners, Appeal No. 75/2018, Lusaka
- Messrs Enius Chulu Legal Practitioners. Appeal No. 76/2018, Ndola  
Messrs Terrence Chabu & Co. Appeal No. 76/2018, Kitwe
- Messrs Milner & Paul Legal Practitioners, Appeal. No.77/2018, Lusaka  
Messrs Shamwana & Co. Appeal No. 77/2018, Lusaka
- Messrs Robson Malipenga & Co. Appeal. No. 78/2018, Lusaka



Messrs JB Sakala & Co. Appeal. No. 78/2018, Lusaka

Messrs SLM Legal Practitioners, Appeal No. 79/2018, Lusaka

Messrs George Kunda & Co. Appeal No. 79/2018, Lusaka

- Messrs Central Chambers Appeal No. 104/2018 – Lusaka

Messrs Ellis & Co appeal No. 104/2018- Lusaka

Messrs KBF & Partners Appeal No. 104/2018 - Lusaka

Messrs Simeza Sangwa & Associates Appeal No. 104/2018 - Lusaka

Lusaka City Council Appeal No. 104/2018 - Lusaka

Legacy Holdings Limited Appeal No. 104/2018 - Lusaka

- Messers V N Michelo & Partners 151/2017- kitwe
- Messers Patrick kasonde and partners. 151/2017- kitwe.