

IN THE HIGH COURT FOR ZAMBIA

2013/HP/0250

AT THE PRINCIPAL REGISTRY

AT LUSAKA

(Civil Jurisdiction)

BETWEEN:

NORAH KOYI AND 39 OTHERS

AND

THE ATTORNEY GENERAL



PLAINTIFFS

DEFENDANT

Before the Hon. Mrs. Justice F. M. Chisanga, this 18th day of August 2017

For the Plaintiffs: Mr. R. Malipenga of Messrs Robson Malipenga & Company

For the Defendant: N/A

JUDGMENT

Cases cited:

- 1. Khalid Mohammed vs The Attorney General (1982) ZLR P 49***

Works referred to:

- 1. Chitty on Contracts Specific Contracts Vol - II Twenty-Fifth Edition London Sweet and Maxwell 1983 state on page 631 paragraph 3358***

This is a claim for payment of a reward in the sum of K200,000.00 to each of the plaintiffs for services rendered by them to the Government, through the Ministry of Local Government and Housing.

The circumstances in which the claim allegedly arises are presented as follows, in the statement of claim:

The Ministry of Local Government and Housing approached the plaintiffs to form Soweto Market Development Committee, to assist in the implementation of the Government programme in the construction of the New Soweto Market. A series of meetings were held, and terms of reference agreed. In September 2005, a statement was issued on the collection of levies at Soweto Market which mandated the plaintiffs to collect market levies from marketeers, and the levies were being deposited in a Special Bank Account. The plaintiffs' duties were inter alia, collection of levies from marketeers, sensitization of Government policies with regard to Soweto Market development, mobilization of marketeers to encourage community participation, to employ and supervise guards, cashiers and cleaners, registration of all marketeers or traders before demolition of Old Soweto Market, coordination and preparation of fellow marketeers to pave way for the construction of the new market, and to be a link between government and the marketeers.

The plaintiffs as a committee worked to such an extent that they were full time workers and were given Ministry of Local Government and Housing Identify Cards. They were asked to demolish their own shops first as an example of good leadership three months before other marketeers could demolish their shops. They were also tasked to look for an alternative site or place where the marketeers could trade from, and found Esaq Company which signed a contract with Soweto Market Development Committee at Ministry of Local Government and Housing to accommodate 3000 marketeers.

