

IN THE HIGH COURT FOR ZAMBIA

2017/HPC/0183

AT THE COMMERCIAL REGISTRY

HOLDEN AT LUSAKA

(Civil Jurisdiction)



IN THE MATTER OF: Arbitration Act No.19 of 2000

and

IN THE MATTER OF: Section 17 of the Arbitration Act No.19 of 2000

and

IN THE MATTER OF: A Joint Venture Agreement Between Zamastone Limited and Saving Wealth Limited dated 12th September 2014

and

IN THE MATTER OF: An Addendum to the Joint Venture Agreement Between Zamastone Limited and Saving Wealth Limited dated 12th September 2014.

BETWEEN:

SAVING WEALTH LIMITED

APPLICANT

AND

ZAMASTONE LIMITED

RESPONDENT

Before the Honourable Justice Irene Zeko Mbewe in Chambers

For the Applicant: Ms. M. Mwanawasa & Mr. J. Katati of Messrs
Dove Chambers

For the Respondent: Mr. P. Chungu of Messrs Ranchhod, Chungu
Advocates

RULING

Cases Referred to:

1. *Dunlop Pneumatic Tyre Co. Ltd v New Garage & Motor Co. Ltd (1915) AC 79*
2. *Union Bank Zambia Limited v Southern Province Co-operative Marketing Union Limited (1995-97) ZR 207*
3. *Cash Crusaders Franchising (PTY) Limited v Shakers and Movers Zambia Limited (2008/HP/ARB/NO.001) [2012]*
4. *Westland Helicopters Ltd v Sheikh Sala Al-Hejalian [2004] EWHC 1625 (Comm)*
5. *Westcare Investment Ltd v Jugoimport and Others (1999) QB 74*
6. *Richardson v Mellish [1824] 2 Bing 229*
7. *Martin Misheck Simpemba, Rose Domingo Kakompe v Nonde Mukanta Zambia Industrial Minerals Limited (2008/HP/268)*
8. *Zambia Revenue Authority v Tiger Limited and Zambia Development Agency No 11 of 2006*
9. *Zimbabwe Electricity Supply Authority v Maposa [1992] 2 ZLR 452*

Legislation and Other Works Referred to:

1. *Constitution of Zambia Act No 2 of 2016*
2. *Arbitration Act, No.19 of 2000*
3. *High Court Rules, Cap 27 of the Laws of Zambia*
4. *Treitels the Law of Contract, 13th Edition*

