

**IN THE COURT OF APPEAL OF ZAMBIA APPEAL NO. 194 OF 2018  
HOLDEN AT LUSAKA**

*(Civil Jurisdiction)*

**BETWEEN:**

**FIRST QUANTUM MINING AND**

**OPERATIONS LIMITED**

**AND**

**MOSES BANDA**



**APPELLANT**

**RESPONDENT**

**CORAM: Chashi, Mulongoti and Lengalenga, JJA**

**ON: 25<sup>th</sup> September and 28<sup>th</sup> November 2019**

*For the Appellant:*

*H. Pasi, Messrs Mando and Pasi Advocates*

*For the Respondent:*

*J. Mataliro, Messrs Mumba Malila and  
Partners*

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**J U D G M E N T**

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**CHASHI JA**, delivered the Judgment of the Court.

**Cases referred to:**

1. **Zambia National Provident Fund v Chirwa (1986) ZR 56**
2. **London Borough of Harrow v Cunningham (1996) IRLR, 256, EAT**
3. **Epstein v Royal Borough of Windsor and Maidenhead - UK EAT/0250/07**
4. **Zambia National Commercial Bank PLC v Joseph Kangwa - SCZ Appeal No. 54 of 2008**
5. **Newbound v Thames Water Utilities Limited (2015) EWCA Civ 677**
6. **First Quantum Mining and Operations Limited v Yendamoh – SCZ Appeal No. 307 of 2015**
7. **Nkhata and Four Others v The Attorney General of Zambia (1966) ZR, 147-Reprint**
8. **Getrude Chibesakunda Mwila Kayula v Family for Health International -SCZ Appeal No 145 of 2012**
9. **Zambia Union of Financial Institutions and Allied Workers v Barclays Bank Zambia Plc - SCZ Appeal No. 209 of 2004**
10. **Engen Petroleum Zambia Limited v Willis Muhanga and Another - SCZ Appeal No. 117 of 2016**

