

IN THE SUPREME COURT OF ZAMBIA

APPEAL No. 37/2015

HOLDEN AT NDOLA

SCZ/8/002/2015

(Civil Jurisdiction)

BETWEEN:

JOYCE NDAVUKA GONDWE

AND

CHRISTINE ZIWOLILE NGWIRA



APPELLANT

RESPONDENT

CORAM: Mwanamwambwa D.C.J., Hamaundu and Kajimanga, JJS

On 5<sup>th</sup> September, 2017 and 13<sup>th</sup> September, 2017

For the Appellant: Mr. J Nyirongo of Messrs Nyirongo & Co.

For the Respondent: Mr. B.K Kasote of Messrs Chifumu Banda & Associates.

---

## J U D G M E N T

---

Mwanamwambwa, DCJ., Delivered the Judgment of the Court.

*Cases Referred to:*

1. Abewe Company Limited v Hadow Mupele Moonga  
SCZ/8/230/2004
2. Anti-Corruption Commission v Barnnet Development Corporation  
Ltd (2008) Z.R. 69
3. Attorney General v Marcus Achiume (1983) Z.R.1 (S.C.)

4. *Eleftheriadis v Attorney-General* (1975) Z.R. 69 (S.C.)
  5. *Gibson Tembo v Alizwani* S.C.Z. Judgment No. 6 of 1996  
(Unreported)
  6. *Hunt v Luck* [1902] 1 Ch. D.P p 428
  7. *Mwenya and Randee v Kapinga* (1998) Z.R. 17
  8. *Nora Mwaanga Kayoba & Alizani Banda v Eunice Kumwenda Ngulube & Andrew Ngulube* (2003) Z.R. 132
- 
4. *Eleftheriadis v Attorney-General* (1975) Z.R. 69 (S.C.)
  5. *Gibson Tembo v Alizwani* S.C.Z. Judgment No. 6 of 1996  
(Unreported)
  6. *Hunt v Luck* [1902] 1 Ch. D.P p 428
  7. *Mwenya and Randee v Kapinga* (1998) Z.R. 17
  8. *Nora Mwaanga Kayoba & Alizani Banda v Eunice Kumwenda Ngulube & Andrew Ngulube* (2003) Z.R. 132
  9. *Sithole v State Lottery Board* (1975) Z.R. 106
  10. *Mazoka and Others v Mwanawasa and Others* (2005) Z.R. 138

**Legislation referred to:**

1. *The Lands and Deeds Registry Act*. Cap. 185 of the Laws of Zambia,  
section 34 (1), (c).

**Other Works Referred to:**

1. *Halsbury's Laws of England* 4<sup>th</sup> Edition. Volume 16, Paragraph  
1219.

