

**IN THE HIGH COURT FOR ZAMBIA  
AT THE PRINCIPAL REGISTRY  
HOLDEN AT LUSAKA  
(Civil Jurisdiction)**

**2013/HP/943**

**BETWEEN:**

**CHARITY KATANGA**

**AND**

**MUVI TV LIMITED**



**PLAINTIFF**

**DEFENDANT**

**Before the Honourable Mr. Justice Mathew L. Zulu in Open  
Court on the ..... day of ....., 2018**

*For the Plaintiff: Mr. S. Lungu of Messrs Shamwana and Company  
For the Defendant: Mr. M. Katolo with Mr. M. Sitali of Milner & Paul  
Legal Practitioners*

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

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**Cases cited:**

- 1. Rodger Chitengi Sakuhuka v. Sassassali Nungu, Attorney General Times of Zambia Limited, Times Printpak Zambia Limited Newspaper Distributors Limited (2005) Z.R. 39 (S.C.)**
- 2. Khalid Mohammed v. Attorney General (1982) ZR 49**
- 3. Zulu v. Avondale Housing Project (1982) ZR 179**

4. *Bevin Ndovi v. Post Newspapers Ltd. and another (2011) ZR 472 Vol. 1*
5. *Sata v. the Post Newspapers (1995-96) ZR*
6. *McCarey v. Associated Newspapers Ltd (1964) 3ALL ER 937 CA*

**Works referred to:**

1. *Halsbury's Laws of England, 5<sup>th</sup> edition, Vol. 32*
2. *Gatley on Libel and Slander, 5<sup>th</sup> edition, London: Sweet & Maxwell*
3. *Clerk & Lindsell on Torts 19<sup>th</sup> edition, London: Sweet & Maxwell*

This is an action for defamation. The facts giving rise to this case are that the plaintiff, a lawyer in the Zambia Police Service, who at the material time was serving as Commissioner for Southern Province was caught up in an aspersion allegedly at the instance of the defendant. The Plaintiff alleges that on 7<sup>th</sup> June, 2013, the Defendant aired a news article during its prime-time news segment between 18:30 and 19:00 which ran with the headline **“Katanga involved in punch up with her subordinate Assistant Superintendent Lukonde”**. The headline was repeated during the vernacular news segment the following day 8<sup>th</sup> June, 2013 between 06:00 and 07:00. The Plaintiff asserts that by their natural and ordinary meaning, the

