

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

**2015/HP/1075**

**BETWEEN:**

**PATRICK MARSAY**

**AND**

**KEREN MOTORS LIMITED**

**BERHANE KIBROM**



**PLAINTIFF**

**1<sup>ST</sup> DEFENDANT**

**2<sup>ND</sup> DEFENDANT**

**Before the Hon. Mr. Justice E. M. Sikazwe in Chambers.**

*For the Plaintiff: N/A*

*For the Defendant: N/A*

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## **RULING**

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**LEGISLATION REFERRED TO:**

1. Order 35 r 1 of Cap 27 of the High Court Act of the Laws of Zambia

This action was commenced by way of Writ of Summons filed into Court on 09<sup>th</sup> July, 2015.

The matter was scheduled for hearing on the 6<sup>th</sup> April, 2017 at 09:00 hours. On the said date, the parties did not attend court and no explanation was given for their absence.

Consequently, I hereby order that this matter be struck out of the active cause list with liberty to be restored within Fourteen (14) days from the date hereof, failure to which the action shall stand dismissed forthwith.

Dated this 6th day of April 2017.

  
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**E. M SIKAZWE**  
**JUDGE** 