

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



IN THE MATTER OF:

**THE LAW OF DISTRESS ACT 1888 AND
SECTION 14 OF THE RENT ACT CAP 206 OF
THE LAWS OF ZAMBIA**

AND

IN THE MATTER OF:

**TENANCY AGREEMENT FOR PROPERTY PLOT
NO. 38 KACHECHE ROAD, CHILENJE SOUTH,
LUSAKA**

BETWEEN:

LYAMBAI NTHOMBIZODWA FRANCINE LIMANDE

APPLICANT

AND

JAMES SIKONDA LUFABA

RESPONDENT

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

For the Applicant: In Person

For the Respondent: In Person

RULING

This matter has come back to this Court for the second Ruling, because the litigants in this matter want to come and start calculating how much should be declared as the outstanding rental arrears in respect of Subdivision No. 1880 of stand 7417 38 Katyetye Road, Chilenje South in Lusaka. I have

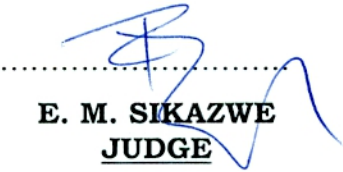
time and again directed and explained for them to sit down and fully exhaust their data regarding how much was the rentals for the house as per their Tenancy Agreement signed between them, dated 1st March 2015. This, they have failed to reconcile as each one of them comes to Court with his or her own outstanding figures and how much was supposed to be the rental amount per month.

This, the Court has advised the litigants to sit down and reconcile the figures but to no avail.

To this effect this Court will again rely on the figure presented to this Court by the Landlord as outstanding water bills and rentals as up to July 2016 in the sum of Thirty-Four Thousand Nine Hundred and Nineteen Kwacha (K34, 919.00). If the tenant had paid any amount in between the last Ruling of 10th August 2016 and 29th March, 2017 same should be deducted from the figure of K34, 919.00.

Further the Warrant of Distress which was stayed on 8th September, 2016 by this Court has been uplifted and the seized property appearing on form No. 07394 be sold without any further delay.

Delivered in chambers this **29th** day of **March, 2017**.


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E. M. SIKAZWE
JUDGE