**IN THE SUPREME COURT OF ZAMBIA**

**HOLDEN AT LUSAKA ON 8TH MAY 2018.**

**(APPELLATE JURISDICTION)**

**THE HON CHIEF JUSTICE LADY JUSTICE I. C MAMBILIMA**

**THE HON. MR. JUSTICE G.S. PHIRI - SUPREME COURT JUDGE**

**THE HON. LADY JUSTICE E.C. MUYOVWE - SUPREME COURT JUDGE**

**THE HON. MR. JUSTICE E.M. HAMAUNDU - SUPREME COURT JUDGE**

**THE HON. MR. JUSTICE A.M. WOOD- SUPREME COURT JUDGE**

**THE HON. MR. JUSTICE M. MALILA - SUPREME COURT JUDGE**

**THE HON. LADY JUSTICE R.M.C. KAOMA - SUPREME COURT JUDGE**

**THE HON. MR JUSTICE C. KAJIMANGA - SUPREME COURT JUDGE**

**THE HON MR JUSTICE M.C. MUSONDA - SUPREME COURT JUDGE**

**THE HON LADY JUSTICE J.K. KABUKA – SUPREME COURT JUDGE**

**THE HON MR JUSTICE N.K. MUTUNA – SUPREME COURT JUDGE**

**THE HON MR JUSTICE J. CHINYAMA – SUPREME COURT JUDGE**

**CAUSE LIST**

**BEFORE JUDGES TO BE NAMED LATER**

**ADJOURNED CRIMINAL CASE**

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|  | Appeal No. 39/2017Masuzyo Chima **NEW CRIMINAL CASES** | Lusaka High Court Original Jurisdiction 15th May 2015 Stock Theft c/s 272 $ 275 cap 87 5 years I.H.L Appeal against conviction and sentence  |
| 2. |  Appeal No. 63/2017Isaac Njovu |  Kitwe High CourtOriginal Jurisdiction9th April 2010Aggravated Robbery c/s 294 (1) cap 8715 years I.H.LAnd Murder c/s 200 cap 8735 years I.H.LAppeal against conviction and sentence |
| 3. |  Appeal No. 74/2017Evaristo Mulundu  | Lusaka High CourtOriginal Jurisdiction30th August 2016Robbery c/s 292 cap 8714 years I.H.LAppeal against conviction and sentence |
| 4. |  Appeal No. 95/2017Derrick Kunaka | Ndola High CourtOriginal Jurisdiction 23rd November 2015Aggravated Robbery c/s 294(2) cap 87 25 years I.H.L Appeal against conviction and sentence |
| 5. |  Appeal No 120/2017Justus Simwinga | Kasama High Court Original Jurisdiction 16th March 2015 Defilement c/s 138(1) cap 87 15 years I.H.L Appeal against conviction and sentence  |
| 6. |  Appeal No. 121/2017Peter Sikazwe | Kasama High Court Original Jurisdiction 10th February 2014 Defilement c/s 138 (a) cap 87 15 years .I.H.LAppeal against conviction and sentence  |
| 7. | Appeal No. 122/2017Felix Mulenga | Kasama High CourtOriginal Jurisdiction1st December 2011Defilement c/s 138(1) cap 8723 years I.H.LAppeal against conviction and sentence |

**CIVIL CASES**

**ADJOURNED CIVIL CASES**

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| 1. | Appeal No. 113/2006 | John Chipawa Sakulanda And Ramji Mhimji Menanda Khuti Attorney General  |  |
| 2. | Appeal No. 61/2015 | Kalumba Kashiwa Mwansa Mwenya Kalindo Mwansa And Kenneth Mpofu  |  |
| 3. | Appeal No. 117/2015 | Zambia Postal Services CorporationAnd Saxon Mulambya and 50 Others |  |

**NEW CIVIL CASES**

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| 4. | Appeal No.121/2015 | Trevor Limpic And Rachel Mawere Caroline Mawere Collins Mawere  |  |
| 5. | Appeal No. 122/2015 | Charles Mushitu And Christabel M.Kaumba  |  |
| 6. | Appeal No. 123/2015 | Lusaka City Council Zesco Limited Chikutano Nkhoma Victor Mwape And Astro Holding Limited  |  |
| 7. | Appeal No. 124/2017 | Augustine Tembo And First Quantum Minerals Limited Mining Division  |  |
| 8. | Appeal No. 125/2015 | Eric Jere and 15 Others And Zambia Railways Limited  |  |
| 9. | Appeal No. 126/2015 | Zambia Revenue Authority And Raymond Njovu Faith Musonda Namwila Daniel Kalo Evans Ntapisha  |  |
| 10. | Appeal No. 127/2015 | Examinations Council of Zambia Pension Trust Scheme Registered Trustees The Trustees of Examinations Council of Zambia Pensions Trust SchemeAnd Tecla Investments Limited  |  |
| 11. | Appeal No. 137/2015 | Investrust Bank PLC And Hearmes Mining & Trading LimitedRosemary Mulenga Lombe Ian Nkaka Lombe Chibesa Christie Lombe Chileshe Moria Lombe Mwansa Nancy Lombe Chiti Jason Lombe Chomba Paul Lombe  |  |
| 12. | Appeal No. 140/2015 | Barclays Bank Zambia PLCAnd Jeremiah Ndhlovu and Others  |  |
| 13. | Appeal No. 142/2015 | Mwajionera Publishers Limited Maiden Publishers Limited Kapeso Ntambakwa Insaka Press Publishers Co. LtdAnd Attorney General  |  |
| 14. | Appeal No. 144/2015 | Finance Bank Zambia Limited Leasing Finance Company Limited Finsbury Investments Limited Peter Kanaganayam Rajan MahtaniAnd Zambezi Portland Cement Limited |  |
| 15. | Appeal No. 147/2015 | Konkola Copper Mines PLCAnd Victor Simwinga  |  |
| 16. | Appeal No. 149/2015 | Hermann Josef Kibler And Apollo Agricultural Holdings Limited |  |
| 17. | Appeal No. 150/2015 | Cyprian Richard Maluba And Konkola Copper Mines  |  |
| 18. | Appeal No. 151/2015 | Ditton Chambawilo and 61 Others And Reliable Service Provider Limited Chrismar Hotel Limited  |  |
| 19. | Appeal No. 153/2015 | Zambezi River Authority And Gilbert Zulu John Bonzo Francis Sungwe  |  |
| 20. | Appeal No. 154/2015 | Baidala Levi Mwanza (Male)And Harrington AkombwaDavid KasajiHapson HamukaliJames SipungwePassmore HachlingaBoateng WiafeRasford MusondaLusaka Eye Hospital (sued as firm) |  |
| 21. | Appeal No. 156/2015 | Zambia Telecommunications Company LimitedAnd Amos ChimboSlyvester D. ChandaAndrew P. Tanganyika  |  |

**Emeldah Nondo Mulonda**

**CLERK OF SESSION**

**NOTES ON ADJOURNED CRIMINAL CASE**

**Case no. 1** was adjourned from 5th December 2017 Ndola Session before Hon. Mr Justice G. S. Phiri, Hon. Lady Justice E. C. Muyovwe and Hon. Mr Justice J. Chinyama.

**NOTES ON ADJOURNED CIVIL CASES**

**Case no 1:** was adjourned sine die on the 11th January 2011 Lusaka Sessions before The Hon Deputy Chief Justice, The Hon Mr Justice S.S.Silomba and The Hon Mr Justice C.S.Mushabati.

**Case no. 2:** was adjourned from 7th November 2017 Kabwe Sessions before The Hon Chief Justice I.C.Mambilima, The Hon Mr Justice M.Malila and The Hon Mr Justice N.K.Mutuna.

**Case no 3:** was adjourned before The Hon Deputy Chief Justice Mr Justice M.S.Mwanamwambwa, The Hon Lady Justice E.C.Muyovwe and The Hon Mr Justice E.M.Hamaundu

**Case no 4:** was adjourned from 6th March 2018 Ndola Sessions before The Hon Mr Justice E. M. Hamaundu, The Hon Lady Justice R. M. C. Kaoma and The Hon Mr Justice J. Chinyama

**COPIES TO**

The Director Public Prosecution, Lusaka, Ndola and Kitwe

The Attorney General – Chambers Lusaka, Ndola and Kitwe

The Superintendent of Prisons, Lusaka, Kabwe Maximum, Ndola Kanseshi

Prison and Kamfinsa Kitwe

The Director of Legal Aid Lusaka and Ndola

The Judge – in-charge Ndola and Kitwe

The Court Research Advocates

The Court Reporters

The Assistant Registrar, Ndola and Kitwe

The Court **Interpreters** Ndola

Notice Board Lusaka, Lusaka

**LAWYERS FOR CRIMINAL CASES**

M/S: Katongo & Co. (case no. 2) **Kitwe**

**LAWYERS FOR CIVIL CASES**

M/S: K.B.F and Partners (case no 1) Lusaka

M/S: Simeza Sangwa and Associates (case no 1) Lusaka

M/S: Attorney Generals Chambers (case no 1) Lusaka

M/S: Legal Counsel Zesco Limited (case no 2) Lusaka

M/S: B.Chileshe and Company (case no 2) Lusaka

M/S: J. Kabuka and Company (case no 3) **Ndola**

M/S: Fraser and Associates (case no 3) Lusaka

M/S: Simeza Sangwa and Associates (case no 4) Lusaka

M/S: R.M.A.Chongwe and Company (case no 4) Lusaka

M/S: Chanda Chizu and Associates (case no 5) Lusaka

M/S: Wilson and Cornhill (case no 5) Lusaka

M/S: J&M Advocates (case no. 6) Lusaka

M/S: Legal Counsel Lusaka City Council (case no 6) Lusaka

M/S: MRN Legal Practitioners (case no 6) Lusaka

In Person: Chikutano Nkhoma (case no 6) Lusaka

In Person: Victor Mwape (case no 6) Lusaka

M/S: N.Makayi and Company (case no 7) Lusaka

M/S: Charles Siamutwa Legal Practitioners (case no 7) Lusaka

In Person: Eric Jere Calvary Church (case no 8) **Livingstone**

M/S: L.Matibini and Company (case no 8) **Ndola**

M/S: Legal Counsel Zambia Revenue Authority (case no 9) Lusaka

M/S: Mak Partners (case no 9) **Livingstone**

M/S: Legal Aid Clinic for Women (case no 9) **Livingstone**

In Person: Daniel Kalo House NO. 421 Avondale (case no. 9) Lusaka

In Person: Evans Ntapisha House No. DNB 131 (case no. 9) **Livingstone**

M/S: M.Z. Mwandenga and Company (case no 10) Lusaka

M/S: Ranchod Chungu Advocates (case no 10) Lusaka

M/S: Robert and Partners (case no 11) **Kitwe**

M/S: Iven Mulenga and Company (case no 11) **Kitwe**

M/S: Nyirongo and Company (case no 11) **Kitwe**

M/S: M. Musonda and Company (case no 12) Lusaka

M/S: Robert and Partners (case no 12) **Kitwe**

M/S: Lukona Chambers (case no 12) Lusaka

M/S: Milner Katolo and Associates (case no 12) Lusaka

M/S: Makebi Zulu and Associates (case no 13) Lusaka

M/S: Attorney Generals Chambers (case no 13) Lusaka

M/S: Simeza Sangwa and Associates (case no 14) Lusaka

M/S: Mambwe Silwila and Lisimba Advocatse (case no 14) Lusaka

M/S: Muya and Company (case no 14) **Ndola**

M/S: ECB Legal Practitioners (case no 15) **Kitwe**

M/S: Kitwe Chambers (case no 15) **Kitwe**

M/S: KN Kaunda Advocates (case no 16) **Kitwe**

M/S: KMG Chisanga Advocates (case no 16) Lusaka

M/S: Mulenga Mundashi Kasonde and Company (case no 16) Lusaka

M/S: Patrick Kasonde and Company (case no 17) **Ndola**

M/S: ECB Legal Practitioners (case no 17) **Kitwe**

M/S: D.Findlay and Associates (case no 18) Lusaka

M/S: Kumasonde Chambers (case no 18) Lusaka

M/S: Chilupe and Permanent Chambers (case no 19) Lusaka

M/S: BCM Legal Practitioners (case no 19 Lusaka

M/S: Chibesakunda & Co. (case no 20) Lusaka

M/S: Chonta, Musaila & Pindani Advocates (case no 20) Lusaka

M/S: Nchito & Nchito (case no 21) Lusaka

M/S: M. L. Mukande & Company (case no 21) Lusaka