**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**

|  |  |  |
| --- | --- | --- |
|  | Appeal No. 39/2017  Masuzyo 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. 63/2017  Isaac Njovu | Kitwe High Court  Original Jurisdiction  9th April 2010  Aggravated Robbery c/s 294 (1) cap 87  15 years I.H.L  And Murder c/s 200 cap 87  35 years I.H.L  Appeal against conviction and sentence |
| 3. | Appeal No. 74/2017  Evaristo Mulundu | Lusaka High Court  Original Jurisdiction  30th August 2016  Robbery c/s 292 cap 87  14 years I.H.L  Appeal against conviction and sentence |
| 4. | Appeal No. 95/2017  Derrick Kunaka | Ndola High Court  Original Jurisdiction  23rd November 2015  Aggravated Robbery c/s 294(2) cap 87  25 years I.H.L  Appeal against conviction and sentence |
| 5. | Appeal No 120/2017  Justus 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. 121/2017  Peter Sikazwe | Kasama High Court  Original Jurisdiction  10th February 2014  Defilement c/s 138 (a) cap 87  15 years .I.H.L  Appeal against conviction and sentence |
| 7. | Appeal No. 122/2017  Felix Mulenga | Kasama High Court  Original Jurisdiction  1st December 2011  Defilement c/s 138(1) cap 87  23 years I.H.L  Appeal against conviction and sentence |

**CIVIL CASES**

**ADJOURNED CIVIL CASES**

|  |  |  |  |
| --- | --- | --- | --- |
| 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 Corporation  And  Saxon Mulambya and 50 Others |  |

**NEW CIVIL CASES**

|  |  |  |  |
| --- | --- | --- | --- |
| 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 Scheme  And  Tecla Investments Limited |  |
| 11. | Appeal No. 137/2015 | Investrust Bank PLC  And  Hearmes Mining & Trading Limited  Rosemary 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 PLC  And  Jeremiah Ndhlovu and Others |  |
| 13. | Appeal No. 142/2015 | Mwajionera Publishers Limited  Maiden Publishers Limited  Kapeso Ntambakwa  Insaka Press Publishers Co. Ltd  And  Attorney General |  |
| 14. | Appeal No. 144/2015 | Finance Bank Zambia Limited  Leasing Finance Company Limited  Finsbury Investments Limited  Peter Kanaganayam  Rajan Mahtani  And  Zambezi Portland Cement Limited |  |
| 15. | Appeal No. 147/2015 | Konkola Copper Mines PLC  And  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 Akombwa  David Kasaji  Hapson Hamukali  James Sipungwe  Passmore Hachlinga  Boateng Wiafe  Rasford Musonda  Lusaka Eye Hospital (sued as firm) |  |
| 21. | Appeal No. 156/2015 | Zambia Telecommunications Company Limited  And  Amos Chimbo  Slyvester D. Chanda  Andrew 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