**IN THE SUPREME COURT OF ZAMBIA**

**HOLDEN AT LUSAKA ON 10TH JULY 2018.**

**(APPELLATE JURISDICTION)**

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

**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 | Lusaka High Court  Original Jurisdiction  Stock Theft c/s 272 & 272 cap 87  15th May 2015  Years I.H.L  Appeal against conviction and sentence |

**NEW CRIMINAL CASES**

|  |  |  |
| --- | --- | --- |
|  | Appeal No. 11/2018  David Kalila | Mongu High Court  Original Jurisdiction  Defilement c/s 138 (1) cap 87  23rd August 2013  38 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 12/2018  Mebelo Munalula | Mongu High Court  Original Jurisdiction  22nd April 2009  Murder c/s 200 cap 87  Appeal against conviction and sentence |
|  | Appeal No. 13/2018  Jefter Banda | Chipata High Court  Original Jurisdiction  22nd August 2014  Rape c/s 132 cap 87  15 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 14/2018  Harrison Banda | Chipata High Court  Original Jurisdiction  22nd June 2016  Attempted Defilement c/s 138 (2) cap 87  15 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 15/2018  Derrick Banda | Chipata High Court  Original Jurisdiction  11th February 2015  Defilement c/s 138(1) cap  15 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 16/2018  Limited Phiri | Chipata High Court  Original Jurisdiction  15th February 2016  Defilement c/s 138 (1) cap 87  17 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No.17/2018  Amos Ngwira | Chipata High Court  Original Jurisdiction  15th February 2016  Defilement c/s 138 (1) cap 87  15 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 18/2018  Pethias Tembo | Chipata High Court  Original Jurisdiction  15th February 2016  Defilement c/s 139 cap 87  14 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 19/2018  Philimon Lungu | Chipata High Court  Original Jurisdiction  8th February 2013  Defilement c/s 138 (1) cap 87  18 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 20/2018  Mathias Daka | Chipata High Court  Original Jurisdiction  10th June 2015  Defilement c/s 138 (1) cap 87  20 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 21/2018  Steven Phiri | Chipata High Court  Original Jurisdiction  16th November 2015  Defilement c/s 138 (1) cap 87  40 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 22/208  Davies Katusi | Chipata High Court  Original Jurisdiction  6th March 2015  Defilement c/s 138 (1) cap 87  25 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 23/2018  Stephen T. Zulu | Chipata High Court  Original Jurisdiction  6th March 2015  Defilement c/s 138 (1) cap 87  25 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No.24/2018  Teny Phiri | Chipata High Court  Original Jurisdiction  16th November 2015  Defilement c/s 138 (1) cap 87  15 years I.H.L  Appeal against conviction and sentence |
|  | Appeal No. 25/2018  Andrew Mtonga | Chipata High Court  Original Jurisdiction  10th June 2015  Aggravated Robbery c/s 294(1) cap 87  Appeal against conviction and sentence |
|  | Appeal No. 26/2018  Blackson Tembo | Chipata High Court  Original Jurisdiction  22nd April 2014  Defilement c/s 138(1) cap 87  30 years I.H.L  Appeal against conviction and sentence |
| 1. **a** | Appeal No. 27/2018  Portipher Nyirenda | Chipata High Court  Original Jurisdiction  15th June 2017  Trafficking in Psychotropic Substances c/s 6 cap 96  10 years I.H.L  Appeal against conviction and sentence |

**ADJOURNED CIVIL CASES**

|  |  |  |
| --- | --- | --- |
|  | Appeal No. 61/2015 | Kalumba Kashiwa Mwansa  Mwenya Kalindo Mwansa  And  Kenneth Mpofu |
|  | Appeal No. 127/2015 | Examinations Council of Zambia  Pension Trust Scheme Registered Trustees  The Trustees of Examination Council of Zambia Pensions Trust Scheme  And  Tecla Investments Limited |
|  | Appeal No. 140/2015 | Barclays Bank Zambia PLC  And  Jeremiah Ndhlovu and others |

**NEW CIVIL CASES**

|  |  |  |
| --- | --- | --- |
|  | Appeal No. 184/2015 | Unike Kalunga  And  Agness Kalunga Sunkutu |
|  | Appeal No. 186/2015 | Benson Munganama  And  Fridah Ngoma  The Attorney General |
|  | Appeal No. 187/2015 | A Van Der Walt Transport (Namibia) PYT Ltd  And  Dar Farms and Transport Ltd |
|  | Appeal No. 188/2015 | Natural Valley Ltd  And  Brick and Tile Manufacturing Ltd  The Attorney General |
|  | Appeal No. 189/2015 | Brighton Soko  And  Petronella Sakala Soko |
|  | Appeal No. 190/2015 | Stewart Scott  And  Edwin Alois Bilali Vidmar |
|  | Appeal No. 191/2015 | Susan Mwale Harman  And  Bank of Zambia |
|  | Appeal No. 193/2015 | Stephen Katuka  Dipak K. A. Patel  And  Zambia National Broadcasting Corporation |
|  | Appeal No. 194/2015 | Godfrey Locha  And  Zambia Revenue Authority |
|  | Appeal No. 196/2015 | Mulonda Kumayando  Nicholas Siamasandu  Lawrence N. Mwangala  Bruce Mumbati  Jailos Shaba  And  Nitrogen Chemicals of Zambia |
|  | Appeal No. 197/2015 | Josiah Subakanya  Bernard Chewe & 17 others  And  The Attorney General |
|  | Appeal No. 200/2015 | Don Sichingwe  Yoram Shamalambo  And  Webster Dickson Shabusale |
|  | Appeal No. 201/2015 | Dr. Sultanova Zumrad  And  Kasamba Kalinda  Roy Kalinda |
|  | Appeal No. 203/2015 | National Pension Scheme Authority  And  Philip Stuart Wood |
|  | Appeal No. 204/2015 | Flame Promotions and Procurement Ltd  Mohamed Abdelfattah Salama  And  Finance Bank Zambia Ltd  Rajan Lekhraj Mahtani |
|  |  |  |
|  |  |  |

**Emily. C. Mupeta**

**CLERK OF SESSION**

**NOTES ON ADJOURNED CRIMINAL CASE**

**Case no. 1** was adjourned from 8th May 2018 Lusaka 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 from 8th May 2018 Lusaka Session before Hon. Chief Justice I.C. Mambilima, Hon. Mr. Justice M.Malila and Hon. Lady Justice R.M.C. Kaoma.

**Case no. 2** was adjourned from 8th May 2018 Lusaka Session before Hon. Chief Justice I.C. Mambilima, Hon. Mr. Justice M.Malila and Hon. Lady Justice R.M.C. Kaoma

**Case no. 3** was adjourned from 8th May 2018 Lusaka Session before Hon. Chief Justice I.C. Mambilima, Hon. Mr. Justice M.Malila and Hon. Lady Justice R.M.C. Kaoma

**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, Ndola

**LAWYERS**

M/S: Philsong & Partners (case no 1) Lusaka

M/S: The Attorney General (case no 1) Lusaka

M/S: KBF & Partners (case no 1) Lusaka

M/S: M.Z Mwandenga & Company (case no 2) Lusaka

M/S: Ranchod Chungu Advocates (case no 2) Lusaka

M/S: Robert & Partners (case no 3) **Kitwe**

M/S: Lukona Chambers (case no 3) Lusaka

M/S: Milner Katolo & Associates (case no 3) Lusaka

M/S: Legal Aid Board (case no 4) **Kabwe**

In Person: Agness Kalunga Sunkutu Plot No. 5 Riverside (case no 4) **Kapiri Mposhi**

M/S: OMM Banda & Company (case no 5) Lusaka

M/S: H.H Ndhlovu & Company (case no 5) Lusaka

M/S: The Attorney General (case no 5) Lusaka

M/S: Mambwe, Siwila & Lisimba Advocates (case no 6) Lusaka

M/S: Malambo & Company (case no 6) Lusaka

M/S: Dove Chambers (case no 7) Lusaka

M/S: N.M Mulikita & Partners (case no 7) Lusaka

M/S: The Attorney General (case no 7) Lusaka

In Person: Brighton Soko House no 49 Estates (case no 8) **Chilanga**

In Person: Petronella Sakala Soko House no 49 Estates (case no 8) **Chilanga**

M/S: Isaac & Partners (case no 9) Lusaka

In Person: Edwin Alois Bilali Vidmar House no. 4690 Lubuto Chintu (case no 9) **Ndola**

M/S: Besa Legal Practitioners (case no 10) Lusaka

M/S: Chanda Chizu & Associates (case no 10) Lusaka

M/S: Mesdames Mushipe & Associates (case no 11) Lusaka

M/S: Muleza Mwimbu & Company (case no 11) Lusaka

M/S: Keith Mweemba Advocates (case no 11) Lusaka

M/S: Milner Katolo & Associates (case no 11) Lusaka

M/S: Eric Silwamba, Jalasi & Linyama Legal Practitioners (case no 11) Lusaka

M/S: Mweemba & Company (case no 12) Lusaka

M/S: A.M. Wood & Company (case no 12) Lusaka

M/S: Lukona Chambers (case no 13) Lusaka

M/S: George Kunda & Company (case no 13) Lusaka

M/S: Lukona Chambers (case no 14) Lusaka

M/S: The Attorney General (case no 14) Lusaka

M/S: Jaques & Partners (case no 15) **Kitwe**

M/S: Shepande & Company (case no 15) Lusaka

M/S: OMM Banda & Company (case no 16) Lusaka

M/S: Shamwana & Company (case no 16) Lusaka

M/S: Mwansa, Phiri & Partners (case no 17) Lusaka

M/S: M.Z Mwandenga & Company (case 17) Lusaka

M/S: Ellis & Co (case no 18) Lusaka

M/S: Simeza Sangwa & Associates (case 18) Lusaka