

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

2021/HP/0982

BETWEEN

MILIKA LYSON TEMBO (Suing as administratrix of
the estate of the late Mirriam Tembo)

PLAINTIFF

AND

ALEX MUGALA
THE ATTORNEY GENERAL

DEFENDANT

Before the Hon. Lady Justice Mrs C. Chinyanwa Zulu in Chambers

For the Plaintiff : N/A
For the Defendant : N/A

RULING

This is the Plaintiff's application for leave to enter Judgment in default of appearance and defence. The application is made pursuant to **Section 22 of the State Proceedings Act Chapter 71 of the Laws of Zambia.**

The application is accompanied with an Affidavit, List of Authorities and Skeleton Arguments in support of the said application. A perusal of the said documents in support of the application have shown that the application is not properly before this Court as there is no proof that the fourteen (14) clear days' notice was given to the Attorney General prior to the filing of this application before me. It is a requirement under Section 22 of the State Proceedings Act that before entering judgment against the State in default of appearance, or

pleadings, prior notice of at least fourteen (14) days, of the application for leave to enter the said Judgment, must be given to the Attorney General. This has not been done prior to making the application.

This application is, therefore, dismissed. Costs to be in the cause.

Delivered at Lusaka this 5th day of March, 2024



C. Chinyanwa Zulu
JUDGE