

ON GOING CIVIL LITIGATION CASES

1. Miscellaneous Application No. 413 of 2011 – Inspectorate of Government Versus Nestor Gasasira & Bank of Uganda

This is an application by the IG seeking Court to set aside the order absolute for the attachment of the IG's Bank A/C held in Bank of Uganda to be used for the payment of Ug.shs. 59,589,000/= the taxed costs awarded the applicant arising out of M.A. No. 62 of 2009 which was decided against the IG. When the application came up for hearing before the Trial Judge, the issue of whether the IG can still maintain this application without corporate status was raised and the judge observed that the IG doesn't have corporate status and therefore cannot handle this application but however, he advised that the application should be taken over by the Attorney General. We have since written to the Attorney General asking his Office to either take over the conduct of the case or issue an instrument of appointment to the officers of the IG to handle this case and any other civil cases against the IG. We are still waiting for a response from the Attorney General.

2. Miscellaneous Cause No.53 of 2010 – Wakiso Transporters Tours & Travel Ltd Versus IGG and 3 Others

In this application, the applicants are challenging the cancellation of their contract tenders by Wakiso District authorities who were acting on the directives of the IG. The case has been fixed for hearing on the 12th March, 2012.

3. Civil Suit No. 223 of 2009 – Muhammed Saru t/a Moonlight Transporters and Contractors Versus Jinja Central Division and IG (3rd Party)

The IG was served with a 3rd party Notice intended to indemnify the defendant/Jinja Central Division a sum of Ug.shs. 283,653,557/= should the case for breach of contract arising out of the IG report and recommendations thereof be decided against it. This case has so far been taken over by the Attorney General since the IG does not have the corporate status to handle it in Court. We have passed over all the relevant documents and Court pleadings to the Attorney General's Chambers to handle and defend the interests of the IG in this matter.

4. Miscellaneous Application No.08 of 2011 – Nassolo Asiat Versus Sembabule District Local Government & IG

Application for judicial review against the IG seeking Court to quash the IG's recommendation to dismiss the applicant from holding the office of Principle Personnel Officer of Sembabule District having been established that she falsified the minutes of the District Service Commission.

The Application has been fixed for hearing on the 28th March, 2012.

5. Miscellaneous Application No.91 of 2009 – Katamba Fred Versus the IGG and Mukono District Local Government

Having successfully argued this application, it was decided in favour of the IG and costs were awarded to the IG. We did attend the first taxation hearing of the IG's Bill of costs and the respondents are to make their reply before the 28th February, 2012 when the taxing officer/registrar is set to deliver this taxation ruling.

6. Miscellaneous Application No.305 of 2011 – Paulo Musoke Versus IGG and Attorney General

In this application, one Senabulya Francis is challenging the election of Paulo Musoke as the chairman LC III, of Njeru Town Council, he is basing on the IG report which established that Paulo Musoke was in breach of the Leadership Code Act and was directed to vacate the office of chairperson LC III Njeru Town Council and not to hold office whether appointive or elective for a period of five years from the date of removal.

The application has been fixed for hearing on the 29th February, 2012.

7. Miscellaneous Cause No. 154 of 2011 – Hared Petroleum Ltd Versus Attorney Genral & IGG

This application for judicial review in seeking Court to quash the decision of the IGG which directed the Commissioner of land Registration to cancel the applicant's land title and hand over the land to Jinja Municipal Council.

At the hearing it was agreed that the matter should be transferred to Jinja High Court because that is where the subject matter originated. We still await for a new hearing date to be fixed by Jinja High Court.

8. Civil Appeal No.63 of 2010 – Inspectorate of Government Versus Hajji Basweri Kezaale

This is an appeal which was filed by the IG challenging the ruling vide MA 28 of 2009 – Hajji Mohammed Kezaale vs IGG & Others where in the IG report was quashed with costs.

On the 21st February, 2012 we attended the conferencing interparties which was held at the Court of appeal and a date for the hearing of the appeal shall be communicated in due Course.

9. Miscellaneous Application No.41 of 2010 – Dr. Wasswa Balunywa & MUBS Versus the IGG

Application for judicial review seeking Court to quash the IG report which recommended to the Education Service Commission among others to rescind the appointment of Mr. Wasswa Balunywa as Principal of MUBS.

The application has been fixed for hearing on the 12th February, 2012.

10. Civil Suit No.41 of 2011 – Kaboodha Mtwalib Versus the IGG

The plaintiff filed this suit seeking Court to compel the IGG to pay him a 5% of the money which was recovered by URA from Iganga Town Council as tax arrears, allegedly based on information provided by him. The Civil suit has been fixed for hearing on the 9th May, 2012.