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**THE REPUBLIC OF UGANDA
IN THE SUPREME COURT OF UGANDA
AT KAMPALA**

**CORAM: OWINY – DOLLO C.J; KISAAKYE; ARACH-AMOKO;
OPIO-AWERI; MWONDHA; MUGAMBA; MUHANGUZI;
TUHAISE; CHIBITA; J.J.S.C;**

MISCELLANEOUS APPLICATION NO. 01 OF 2021

(Arising from Presidential Petition No. 1 of 2021)

15 KYAGULANYI SSENTAMU ROBERT:.....APPLICANT/PETITIONERS

VERSUS

1. YOWERI MUSEVENI TIBUHABURWA

2. ELECTORAL COMMISSION

3. ATTORNEY GENERAL

}RESPONDENTS

20 **RULING OF COURT**

We have perused the application, the replies by the Respondents, and considered the submissions of Counsel for the parties.

25 Court finds that the matters raised in the proposed amendments pertaining to non-compliance with the laws, and the alleged commission of electoral offences, are already pleaded in the petition. What remains is for the Petitioner to adduce evidence in proof of those matters.

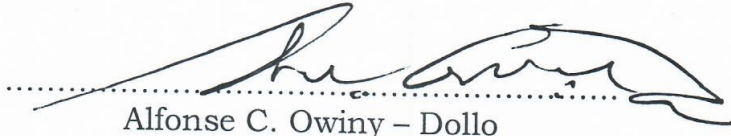
30 However, Court finds that the issue of qualification of the 1st Respondent raised in the proposed amended petition, is a new matter which comes outside the limitation period provided for filing a Presidential election petition. Therefore, we disallow it.

5 In the event, we disallow the application. We shall give the detailed reasons for deciding so, in the final Judgment.

Costs shall be in the cause.

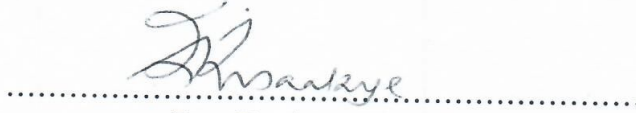
Dated at Kampala this.....^{9th}.....day of February 2021

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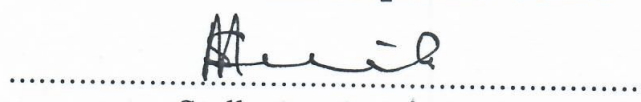
Alfonse C. Owiny - Dollo
Chief Justice

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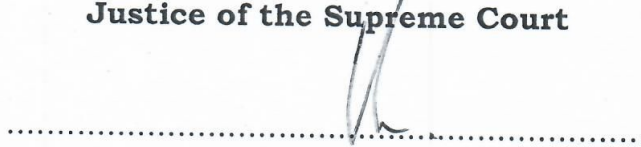
Dr. Esther Kisaakye
Justice of the Supreme Court

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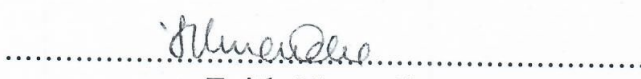
Stella Arach-Amoko
Justice of the Supreme Court

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Ruby Opio-Aweri
Justice of the Supreme Court

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Faith Mwendha
Justice of the Supreme Court



Paul Mugamba
Justice of the Supreme Court

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Ezekiel Muhanguzi
Justice of the Supreme Court

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.....
Percy Night Tuhaise
Justice of the Supreme Court

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Mike Chibita
Justice of the Supreme Court