

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
(LAND DIVISION)

CIVIL SUIT NO. 0928 OF 2019

MOSES OKWEL ::: PLAINTIFF


VERSUS

1. JUMA KASALIKO	}	:::::::::::::::::::::::::DEFENDANTS
2. AZIIZA SSEKITOLEKO		
3. NANTONGO MARIAM		
4. BISASO SEBINA		

BEFORE HON. JUSTICE JOHN EUDES KEITIRIMA

JUDGMENT

- 1]. The plaintiff's claim against the defendants is for; -
- (i) A declaration that the defendants are trespassers on the plaintiff's land comprised in **Bulemezi Block 8 Plot Nos 453-457 at Ndeeba.**
 - (ii) An order that the defendants deliver up vacant possession of the suit land.
 - (iii) An eviction order against the defendants from the suit land.


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- (iv) And order that the defendants pay mesne profits to the plaintiff.
- (v) A permanent injunction refraining the defendants from further trespass.
- (vi) General damages.
- (vii) Costs of the suit.
- (viii) Interest at court rate.


2]. The facts constituting the plaintiff's case as stated in his plaint are as follows; -

- (i) That the plaintiff is the registered proprietor of land comprised in **Bulemezi Block 8 Plot nos 453-457 at Ndeeba** having acquired the same in 2015 from various rightful owners.
- (ii) That in 2016, the plaintiff fenced off his land using barbed wires and poles.
- (iii) That on or about the 2nd day of February 2018, the defendants without the consent of the plaintiff forcefully entered on the suit land by damaging the barbed wire and removing the


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poles that had been put by the plaintiff and thereafter started cultivating on the suit land.

- (iv) That the plaintiff reported the matter to police and other authorities including the Local Council 2 of Vvumba Parish.
- (v) That the defendants thereafter refrained from dealing with the suit land but recently when the plaintiff revisited the suit land he was shocked to find the defendants having set up mud and wattle structures on the suit land with crops on the rest of the land.
- (vi) That the actions of the defendants are to the detriment of the plaintiff as the rightful owner of the suit land for which the plaintiff shall seek for both exemplary and general damages.
- (vii) The plaintiff contends that he has been subjected to loss of use of his land and hence seeks for mesne profits with interest of 20%.
- (viii) The plaintiff contends that the acts of the defendants have occasioned him severe inconvenience and psychological stress for which he prays for general damages.


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3]. The plaintiff prays for judgment with the following declarations/orders; -

- (i) A declaration that the defendants are trespassers on the plaintiff's land.
- (ii) An order that the defendants deliver up vacant possession of the suit land.
- (iii) An eviction order against the defendants and /or their agents from the suit land.
- (iv) An order that the defendants pay mesne profits to the plaintiff.
- (v) A permanent injunction refraining the defendants from further trespass.
- (vi) General damages and exemplary damages.
- (vii) Interest at court rate.
- (viii) Costs of the suit.

4]. In their joint written statement of defence the defendants state inter alia; -


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