

THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT KAMPALA

LAND DIVISION

MISCELLANEOUS APPEAL NO. 482 OF 2024

**ARISING FROM MISCELLANEOUS APPLICATION NO.3660 OF
2023**

ARISING FROM CIVIL SUIT NO. 1385 OF 2023

- 1. SSALONGO MICHEAL LUKWAGO**
- 2. BWIRE GIBSON**
- 3. LULE DAVID APPLICANTS**

VERSUS

- 1. GEOFFREY SSENTONGO**
- 2. ABDUL SEBBI RESPONDENTS**

BEFORE HON. LADY JUSTICE FLAVIA NASSUNA MATOVU

RULING

1. This was an appeal against the decision of the Deputy Registrar in Miscellaneous Application No. 3660 of 2023. The appellants sought for orders that the injunctive order that was issued by the deputy registrar restraining them from continuing in occupation of the suit land and in effect evicting them be set aside and replaced with an order maintaining the status quo until the determination of the main suit.

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2. The application was brought by notice of motion which was supported by an affidavit sworn by the 2nd appellant. The grounds of the application were laid in the notice of motion and affidavit in support. They are on court record and I need not reproduce them here.

3. The respondents filed an affidavit in reply which was sworn by the 1st respondent by which they called upon court to dismiss this application with costs.

4. Both parties filed written submissions which I carefully studied together with the entire record of proceedings. After carefully studying the same I noted as follows:

5. The respondents filed Miscellaneous Application No. 3660 of 2023 by which they sought for a temporary injunction restraining the appellants, their agents, servants or workmen or any person deriving interest from them from occupying, selling, transferring, developing or in any way dealing with the suit property until the disposal of the main suit.
The appellants were duly served with the said application but did not file any affidavit in reply to the same. The matter was fixed for hearing before the deputy registrar on 13/12/2023 on which date they were granted an opportunity to file a reply by 20/12/2023 and also file written submissions. This they did not do and by the time the ruling was delivered they had not filed any document on the court record.


24/5/24