

RWANDA / JUDGMENT

FERWAFA V. ALPHA PALACE LTD

RCOMA 0094/14/HCC

COURT

Commercial High Court

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FERWAFA V. ALPHA PALACE LTD

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Text

Page 1

FERWAFA V. ALPHA PALACE LTD [Rwanda URUKIKO RUKURU RW'UBUCURUZI – RCOMA 0094/14/HCC (Mukamurera, J.) 21 Mata 2014] Amategeko agenga imiburanishirize y'imanza z'ubucuruzi –Ububasha bwo kurega – Niba Ikirego cy'udafite ubuzima gatozi cyakwagirwa kandi adafite ububasha bwo kurega –Ikirego cyo gusubirishamo urubanza uwarezwe adafite ubuzima gatozi yarezwemo kirakirwa kuko uwarezwe aba yararubayemo umuburanyi bivuga ko aba afite ububasha –Itegeko n° 21/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'ubutegetsu n'iz'umurimo, ingingo ya 2. Amategeko agenga imiburanishirize y'imanza z'ubucuruzi – Impamvu ikomeye yo kutitaba Urukiko – Kudashikiriza avoka inyandiko ihamagara umuburanyi kuburana, kubera ko uwagombaga kuyimushikiriza yagiye mu kiruhuko – Kuja mu kiruhuko cyo kubara udatanze inyandiko ihamagara umuburanyi kwitaba urukiko ntibafatwa nk'impamvu ikomeye kandi idasanzwe kubera ko ugiye mu kiruhuko aba afite umusimbura ushobora kuyishikiriza avoka. Amategeko agenga imiburanishirize y'imanza z'ubucuruzi –Ihazabu kubera gutinza urukiko – Ihazabu kubera gutinza urukiko itangwa n'uwo byagaragaye ko yagize uruhare mu kurutinzwa, iyo byagaragarijwe urukiko ko uwatswe iyo hazabo nta ruhare rwo kurutinzwa yabigizemo ntayo atanga. Incamake y'ikibazo: ALPHA PALACE LTD

yareze FERWAFa mu Rukiko rw'ubucuruzi rwa Nyarugenge kuba mu myaka ya 2007 kugeza 2010 yarakiriye abakinnyi b'umupira w'amaguru muri hoteli boherejwe na FERWAFa, ikaba itarishyurwe facture igeze kuri 22 034 645 frw, ikaba yarasabaga Urukiko gutegeka FERWAFa kwishyura iyo facture, Urubanza rwaburanishijwe FERWAFa idahari kuko ititabye nta mpamvu. Urukiko rwategetse ko FERWAFa yishyura 26 200 881 Frw akubiyemo umwenda, inyungu, hamwe n'amafaranga y'ikurikirana rubanza hamwe n'igihembo cya avoka. FERWAFa yatanze ikirego gisubirishamo urwo rubanza, agaragaza impamvu zatumye ititaba, asobanura ko yohereje inyandiko ihamagara k'usanzwe uyiburanira ariko basanga yagiye mu rugendo hanze y'igihugu, umunyamabanga we arayibika ariko aje ntiyibuka kuyimuha, iburanisha riza kuba atabizi, kandi ngo hanabaye impinduka muri FERWAFa n'ibibazo byo kwimuka byatumye badakurikirana, Urukiko rwemeje ko iyo mpamvu nta shingiro ifite, rutegeka FERWAFa kwishyura ihazaba yo gutinza urubanza. FERWAFa yajuririye icyo cyemezo Urukiko rukuru rw'Ubucuruzi ku mpamvu z'uko urukiko rwumvise nabi impamvu ikomeye yatumye batitaba mu iburanisha ry'urubanza, bakaba batumvye impamvu y'ihazabu yo gutinza urubanza, kuko urubanza rujuriyirwa ubwo rwaburanishwaga bwa mbere ALPHA PALACE yabanje gutanga inzitizi yo kutakira ikirego, Urukiko rwemeza ko icyemezo rugisoma uwo munsu saa munani, uyihagarariye ajya kuburana mu rundi Rukiko, abonye ko Urubanza rundi yagiyemo rutinze abimenyesha uhagarariye ALPHA PALACE amusaba kubisobanurira Urukiko, Urukiko rukaba rwarabahaye indi tariki ariko rwanga kumva iyo mpamvu kuko rwategetse FERWAFa kwishyura ihazabu yo gutinza urubanza, akaba asaba ko Urukiko rwayibakuriraho.

Page 2

ALPHA PALACE nayo yasobanuye ko yatanze inzitizi ku rwego rwa mbere yo kutakira ikirego cya FERWAFa kuko itagira ubuzima gatozi iyo nzitizi ikaba itarahawe agaciro bityo ikaba yarasabaga ko yakongerwa gusuzuma mu bujurire. Naho ku mpamvu ya mbere y'ubujurire ya FERWAFa yasobanuye ko impamvu batanga yababujije kwitaba itandukanye n'iyi batanze basubirishamo urubanza, naho ku mpamvu ya kabiri y'ubujurire yasobanuye ko ibyo uhagarariye FERWAFa avuze ariko byagenze maze asaba ko Urukiko rwabisuzuma. Kubirebana n'inzitizi yatanze na ALPHA PALACE isabirwa kongerwa gusuzuma mu bujurire, FERWAFa yasobanuye ko iregwa ku rwego rwa mbere yari itarabona ubuzima gatozi, kandi ngo iyo urubanza rusubirishijwemo itegeko rivuga ko ababuranyi bongera kuba babandi bambere. Naho kubijyanye n'ubuzima gatozi nubwo icyemezo cyatanze nyuma y'itangwa ry'ikirego, ngo asanga igikwiye gusuzumwa ubu ari ukureba niba umuburanyi yujuje ibyangombwa kandi banditswe mu buryo bukurikije amategeko. Incamake y'icyemezo: 1. Ingingo ya 2 y'itegeko n° 21/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'ubutegetsi n'iz'umurimo iteganya ko ikirego nticyemerwa mu rukiko iyo urega adafite ububasha, inyungu n'ubushobozi bwo kurega. Ibivugwa mu gika cya mbere cy'iyi ngingo, bireba n'amashyirahamwe, imiryango n'ibigo bidafite ubuzima gatozi kuko bidashobora kurega, bitabujije ko bishobora kuregwa. byumvikana ko umuburanyi udafite ubuzima gatozi ashobora kuregwa nubwo atemererwa gutanga ikirego cyo kurega undi muntu, ariko n'ubwo uregwa yaba adafite ubuzima gatozi ariko itegeko rikaba ryemera ko aregwa, iyo amaze kuregwa agahinduka umuburanyi nawe aba yamaze guhabwa ububasha

k'umuburanyi akaba ashobora gutanga ikirego gisubirishamo urubanza yabayemo umuburanyi.

2. Kuvuga ko secretaire yagiye mu kiruhuko cyo kubyara adatanze inyandiko ihamagara umuburanyi kwitaba urukiko ntibyafatwa nk'impamvu ikomeye kandi idasanzwe, byongeyeho kandi iyo umukozi agiye mu kiruhuko akazi asanzwe akora agasigira undi nkuko bisanzwe bikorwa, uwo rero usigariyeho undi yari afite ishingano yo gushikiriza inyandiko ihamagara umuburanyi avoka, kugira ngo agaragare mu rubanza baregwamo, kuba batarabikoze ntabwo byafatwa nk'impamvu ikomeye yo kutitaba Urukiko.
3. Mu gihe umuburanyi yagaragarije urukiko ko yarwitabye, akanaburanishwa uwo munsu ariko rukavuga ko ruri bufate icyemezo uwo munsu, ariko bigahurirana n'uko umwunganira afite gahunda zitandukanye kandi byose bikaba byaramenyeshajwe urukiko, biba bigaragara ko ari impurirane yabaye kandi nta ruhare yabigizemo, ntabwo byafatwa nko gutinza iburanisha k'ubushake k'uburyo umuburanyi yakwishyura ihazabu yo gutinza urubanza. Inzitizi nta shingiro ifite; Ubujurire bufite ishingiro kuri bimwe; Urubanza rwajuririwe ruhindutse kuri bimwe; Amagarama y'urubanza aherereye k'uwajuriye. Amategeko yashingiweho: Itegeko n° 21/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'ubutegetsi n'iz'umurimo, ingingo ya 2.

Page 3

Nta manza zashingiweho. Urubanza INCAMAKE Y'IKIBAZO [1] Uru rubanza rwatangiriye mu rukiko rw'ubucuruzi rwa Nyarugenge rufite n° RCOM 0714/TC/Nyge, aho ALPHA PALACE LTD yaregaga FERWAFI ivuga ko mu myaka ya 2007 kugeza 2010 yakiriye abakinnyi b'umupira w'amaguru muri hoteli boherejwe na FERWAFI, ariko ntiyishyura facture igeze kuri 22 034 645 frw, ikaba isaba ko yakwishyurwa ayo mafranga n'inyungu zayo. Urwo rubanza rwaburanishijwe FERWAFI idahari kuko ititabye ntampamvu, maze urukiko rusuzumye ibivugwa n'urega, rutegaka ko FERWAFI yishyura umwenda ungana na 22 034 645 frw, inyungu zibariwe kuri 18% zingana na 3 966 236 frw hamwe na 200 000 frw y'ikurikiranarubanza no guhamba avocat, yose hamwe akaba 26 200 881 frw. [2] FERWAFI yatanze ikirego cyo gusubirishamo urwo rubanza gihabwa n° RCOM 1259/TC/Nyge, igaragaza impamvu zatumye ititaba mu iburanisha ry'urubanza rwaciye idahari, ivuga ko inyandiko ihamagara yagejejwe kuri FERWAFI, nayo iyohereza kuri cabinet ya Me NDAGIJIMANA uyiburanira ariko isanga yagiye murugendo hanze y'igihugu, umunyamabanga we arayibika ariko aje ntiyibuka kuyimuha, iburanisha riza kuba atabizi, kandi ngo hanabaye impinduka muri FERWAFI n'ibibazo byo kwimuka byatumye badakurikirana. Urukiko rwavuze ko iyo mpamvu ntashingiro ifite, kuko itafatwa nk'impamvu idasanzwe kandi ikomeye kubera ko assignation yagejejwe kuri FERWAFI mu bihe byemewe n'amategeko, kandi na Me NDAGIJIMANA bigaragara ko yavuye mu ruzinduko ibyumweru birenga bibiri mbere y'uko urubanza ruba, bityo rushingiye ku ngingo ya 156 CPCSA ruvuga ko ikirego kitakiriwe. Urukiko kandi rwategetse FERWAFI kwishyura ihazabu yo gutinza urubanza. [3] FERWAFI yajuririye icyo cyemezo muri uru rukiko ivuga ko urukiko rutumvise neza impamvu yabujije FERWAFI kwitaba mu iburanisha ry'urubanza, ikindi ngo ntibemera ihazabu baciye yo gutinza urubanza. Uhagarariye ALPHA PALACE avuga ko yatanze inzitizi ku rwego rwa mbere yo kutakira ikirego cya FERWAFI kuko itagira ubuzima gatozi, ntiyahabwa agaciro, akaba asaba ko yakongera

gusuzumwa mu bujurire. Naho ku mpamvu y'ubujurire ya FERWAFa yavuze ko ntashingiro ifite kuko impamvu batanga mu bujurire bavuga ko yababujije kwitaba itandukanye n'iyi batanze basubirishamo urubanza. IBIBAZO BIGIYE GUSUZUMWA Urukiko rugiyeye gusuzuma inzitizi yatanze n'ALPHA PALACE, rusuzume n'impamvu yatumye FERWAFa ititaba mu iburanisha ry'urubanza rwaciye idahari. I. Kubijyanye n'inzitizi yo kutakira ikirego [4] Me NKURUNZIZA François Xavier uhagarariye ALPHA PALACE avuga ko ku rwego rwa mbere batanze inzitizi yo kutakira ikirego cya FERWAFa kuko ntabuzima gatozi igira, bakaba barabisabye bashingiye ku ngingo ya 2 y'itegeko n° 21/2012 ryerekeye imiburanishirize

Page 4

y'imanza z'imbonezamubano, iz'ubucuruza, iz'ubutegetsi n'iz'umurimo aho ivuga ko amashyirahamwe, ibigo n'imiryango bidafite ubuzima gatozi bidashobora kurega ariko bitabujije ko byaregwa. Ngo urukiko rubanza rwagaragarijwe iyo nzitizi ntirwayiha agaciro ruvuga ko iyo habayeho gusubirishamo urubanza ababuranyi bongera kuba nkuko bari bameze mu rubanza rusubirishwamo. Ibyo bisobanuro ngo ALPHA PALACE ntibyemera kuko urega akomeza kuba urega iyo urukiko rwemeye isubirishamo ry'urubanza, byongeye kandi ngo gusubirishamo urubanza ni ikirego umuburanyi atanga nk'uko biteganywa mu ngingo ya 157 CPCCSA, bityo ngo akaba asaba urukiko rwajuririrwe kongera gusuzuma iyo nzitizi kuko ibyo bisobanuro byatanze n'urukiko atari byo. Kubijyanye n'icyemezo cyahawe FERWAFa kiyemerera gukora by'agateganyo nk'ifite ubuzima gatozi, Me NKURUNZIZA yavuze ko ibyo ntacyo byahindura kubera ko icyo cyemezo cyakozwe nyuma y'itangwa ry'ikirego. [5] Me NDAGIJIMANA Emmanuel uhagarariye FERWAFa yavuze ko FERWAFa iregwa ku rwego rwa mbere yari itarabona ubuzima gatozi, kandi ngo iyo urubanza rusubirishijwemo itegeko rivuga ko ababuranyi bongera kuba babandi bambere. Naho kubijyanye n'ubuzima gatozi nubwo icyemezo cyatanze nyuma y'itangwa ry'ikirego, ngo asanga igikwiye gusuzumwa ubu ari ukureba niba umuburanyi yujuje ibyangombwa kandi banditswe mu buryo bukurikije amategeko. [6] Urukiko rusanga ingingo ya 2 y'itegeko n° 21/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruza, iz'ubutegetsi n'iz'umurimo uhagarariye ALPHA PALACE ashingiraho asaba ko ikirego cya FERWAFa kitakwagirwa igira iti "Ikirego ntiyemerwa mu rukiko iyo urega adafite ububasha, inyungu n'ubushobozi bwo kurega. Ibivugwa mu gika cya mbere cy'iyi ngingo, bireba n'amashyirahamwe, imiryango n'ibigo bidafite ubuzima gatozi kuko bidashobora kurega, bitabujije ko bishobora kuregwa". Aha birumvikana ko umuburanyi udafite ubuzima gatozi ashobora kuregwa ariko ntiyemerewe gutanga ikirego cyo kurega undi muntu. Muri iki kibazo harebwa niba kuri uru rwego FERWAFa yaratanze ikirego cyo kurega. Ahangaha FERWAFa yasubirishijemo urubanza, ikaba ari imwe mu nzira zo kujurira zisanzwe. Ingingo ya 157 y'iryo tegeko ryavuzwe hejuru ivuga ko "Gusaba ko urubanza rusubirwamo bisabwa n'umuburanyi, umwunganira cg se uwo yahaye urubanza". Ibi bisobanura ko iyo hari urubanza rwamaze kubaho urega n'uregwa baba bamaze kwitwa ababuranyi. N'ubwo uregwa yaba adafite ubuzima gatozi ariko itegeko rikaba ryemera ko aregwa nkuko byagaragajwe hejuru, nawe aba yamaze guhabwa qualité y'umuburanyi. Ingingo imaze kuvugwa kandi igaragaza ko gusaba ko urubanza rusubirwamo bisabwa n'umuburanyi. Ntabwo itegeko ryigeze rivuga ko udafite ubuzima gatozi

atabyemerewe. Kuba byonyine yamaze kwitwa umuburanyi aba yemerewe gusubirishamo urubanza yari arimo nk'umuburanyi. Ibi bikagaragaza ko na FERWAFa yemerewe gusubirishamo urubanza kuko yarubayemo umuburanyi hatitawe ku kindi icyaricyo cyose kuko n'itegeko ntayindi condition ryashyizeho uretse kuba wari umuburanyi muri urwo rubanza. Kuba hari icyemezo cyahaye FERWAFa ububasha cyatanze nyuma y'itangwa ry'ikirego, ibyo ntabwo urukiko rwabitindaho kuko rumaze kugaragaza ko n'ubundi yari yemerewe gusubirishamo urubanza. Ibi bisobanura bishingiweho n'urukiko rwajuririwe bikaba bisimbuye ibyari byashingiweho n'urukiko rwaciye urubanza ku rwego rwa mbere n'ubwo umwanzuro ugerwaho ari umwe. II. Kubijyanye n'impamvu yatumye FERWAFa ititaba

Page 5

[7] Uhagarariye FERWAFa avuga ko urukiko rubanza rwumvise nabi impamvu ikomeye yatumye batitaba mu iburanisha ryo kuwa 03/10/2013, ngo kuko urukiko rwavuze ko habayeho impinduka no kwimuka muri FERWAFa kandi ntabatangire ibimenyetso, ngo bikaba bitafatwa nk'impamvu ikomeye kandi idasanzwe. Ahangaha ngo urukiko rwabyumvise nabi kubera ko basobanuye ko assignation yageze kuri FERWAFa ishyikirizwa secretaire nawe ntiyabasha kuyiha avocat kuko yari mu rugendo hanze y'igihugu, aza kujya mu kiruhuko cyo kubyara adatanze iyo assignation, agaruka urubanza rwararangiyeye. Iyo mpamvu ikaba ariyo yatumye FERWAFa idahagararirwa mu iburanisha kuko avocat wayo atigeze amenya urubanza. [8] Uhagarariye ALPHA PALACE avuga ko atari urukiko rwumvise nabi ahubwo ko ari uhagarariye FERWAFa uhindagura imvugo akaba atanga indi mpamvu itandukanye n'iyi yatanze ku rwego rwa mbere, bikaba bisa no gushakisha kuburyo umuntu atamenya neza impamvu yatumye batitaba iyariyo cyane cyane ko muri izo mpamvu zose batanga ntanimwe bagaragariza ibimenyetso, bityo ngo byose ntagaciro byahabwa. [9] Urukiko rusanga ntakumva nabi urukiko rubanza rwagize, kuko ibyavuzwe na FERWAFa ku rwego rwa mbere bigaragara mu myanzuro yabo ndetse no mu nyandiko mvugo z'iburanisha basinyeho. Uretse n'ibyo kandi n'ubwasuzuma iyo mpamvu batangiye mu bujirire y'uko secretaire yagiye mu kiruhuko cyo kubyara adatanze iyo assignation, nabyo ntibafatwa nk'impamvu ikomeye kandi idasanzwe kuko atakuwe kukazi muri ambulance ajyanywe kwa mu ganga kubyara, ahubwo yafashe konje ajya kwitegura kubyara, akazi yari ashinzwe agasigira undi nkuko bisanzwe bikorwa, kuburyo iyo assignation yari guhabwa avocat igihe yagarukiye nubwo secretaire atahabwa. Kuba bitarakozwe, ibyo byafatwa nk'uburangare bw'abari bashinzwe icyo gikorwa, kandi uburangare bw'abakozi ntibwafatwa nk'impamvu ikomeye kandi idasanzwe. FERWAFa ibonye hari ibyo yahombye kubera kurangara kw'abakozi bayo yabibakurikiranaho ariko ntiyabyitwaza mu rukiko nk'impamvu yatuma urubanza rusubirwamo. III. Kubijyanye n'ihazabu FERWAFa yategetswe kwishyura [10] Uhagarariye FERWAFa yavuze ko uru rubanza rujuririrwa rwaburanishijwe mba mbere kuwa 06/01/2014, ALPHA PALACE ibanza gutanga inzitizi yo kutakira ikirego, urukiko ruvuga ko icyemezo rugisoma uwo munsu samunani, uhagarariye FERWAFa ahita ajya kuburana urundi rubanza yari afite muri HC/Kigali, rwagombaga gutangira sayine akaba yari yizeye ko rurangira akagaruka samunani ku rukiko rw'ubucuruzi i Nyamirambo, ariko ngo siko

byagenze kuko urwo rubanza yagiyemo rwarangiye sakumi nebyiri z'umugoroba. Icyo kibazo yagize ngo yagisobanuriye uwari uhagarariye ALPHA PALACE, kandi amusaba kubimubwirira urukiko ngo bahabwe indi tariki ariko urukiko rwanga kubyumva rutanga indi tariki ariko rutegeka FERWAFa kwishyura ihazabu yo gutinza urubanza ingana na 200 000 frw, akaba asaba urukiko ko rwayakuraho kuko FERWAFa itakoze ibijyanye no gutinza urubanza ahubwo uyihagarariye yagize ikibazo gitunguranye kandi ikimenyesha urukiko. [11] Uhagarariye ALPHA PALACE yavuze ko icyo kibazo cyasuzumwa n'urukiko, ariko abajijwe ko ibyo uhagarariye FERWAFa avuga niba ariko byagenze, asubiza ko ariko byagenze. [12] Urukiko rusanga Me NDAGIJIMANA wari uhagarariye FERWAFa yarahamagawe kuburana k'urukiko rw'ubucuruza rwa Nyarugenge kuwa 06/01/2014 sambiri za mugitondo kandi yari ahari, iburanisha riraba. Yasobanuye ko yari afite urundi rubanza yagombaga kuburana kuri HC/Kigali sayine, kandi ko yaruburanye rukarangira sakumi nebyiri. icyabayeye

Page 6

kitari kiteguwe nuko muri uru rubanza yaburanye mu rukiko rw'ubucuruza hatanzwemo inzitizi, urukiko rukavugaga ko icyemezo gisomwa samunani kandi byaba ngombwa iburanisha rigakomeza. Urubanza Me NDAGIJIMANA yaburanaga muri HC/Kigali abonye rutinze yabimenyesheje uwo baburana nawe abimenyesha urukiko kandi asaba ko bahabwa indi tariki. Kuba urukiko rwarashingiye ku ngingo ya 15 CPCCSA rugategeka FERWAFa gutanga ihazabu yo gutinza urubanza ingana na 200 000 frw ntabwo byahabwa agaciro ku mpamvu zikurikira: Iyo ngingo ya 15 CPCCSA ivuga ko "Umuburanyi wese utinza ku bushake iburanisha ry'urubanza kimwe n'uwiyambaza inzira zo kujurira mu buryo bwo gutinza urubanza acibwa ihazabumbonezamusaruro kuwa kuri 20 000 frw kugeza kuri 200 000 frw. Iyo gutinza urubanza kubushake bikozwe n'umu avocat cg undi uhagarariye umuburanyi, acibwa ihazabu mbonezamusaruro kuwa kuri 200 000 frw kugezakuri 500 000 frw". [13] Ahangaha, urukiko rwategetse ihazabu ariko ntirwagaragaje niba impamvu yagaragajwe n'uhagarariye FERWAFa yo kutitaba niba ntagaciro ifite, ngo rubone kugera kucyemezo ko atinza iburanisha kubushake. Kuba uwo munsu yari afite gahunda zitandukanye mu nkiko zitandukanye, akaba yarabanye kwitaba urukiko rw'ubucuruza kandi akaburana, gusa rugashyiraho indi gahunda atari yiteguye yo kuri bwongere kuburanisha samunani, bigahurirana nuko urundi rubanza yaburanaga muri HC/Kigali rwarangiye rutinze kandi akabimenyesha urukiko, ibyo bigaragaza ko ari impurirane yabaye kandi ntaruhare yabigizemo, kuburyo bitafatwa nko gutinza iburanisha k'ubushake. Ikindi icyo hazabu ni FERWAFa yategetswe kuyishyura, nyamara n'icyo iza kuba ifite ishingiro, ntabwo ari FERWAFa yari kuyitegekwe kuko urundi rubanza avocat yagiye kuburana rugatinda bigatuma ataboneka muri runo, ntabwo rwari urwa FERWAFa ngo hemezwe ko yagize uruhare muri uko kubura mu iburanisha. Iyo yari gahunda y'avocat uba ufite aba clients batandukanye, ntabwo yari icya FERWAFa, bityo ntabwo ariyo yari gucibwa ihazabu yo gutinza iburanisha. Ibyo byose bimaze gusobanurwa bituma icyo hazabu yategetswe n'urukiko rubanza iteshwa agaciro, bityo ikaba ikweweho. ICYEMEZO CY'URUKIKO [14] RWEMEJE ko inzitizi yo kutakira ikirego ntashingiro ifite. [15] RWEMEJE ko ubujurire bwa FERWAFa bwakiriwe kandi ko bufite

ishingiro kuri bimwe. [16] RWEMEJE ko ihazabu yo gutinza urubanza ingana na 200 000 frw yaciwe FERWAFa ku rwego rwa mbere ikuweho. [17] RWEMEJE ko impamvu itangwa na FERWAFa yatumye ititaba urubanza ku rwego rwa mbere itafatwa nk'impamvu idasanzwe kandi ikomeye yatuma urubanza rusubirwamo. [18] RWEMEJE ko urubanza rwajuririwe ruhindutse kuri icyo kibazo cy'ihazabu gusa. [19] RUTEGETSE FERWAFa kwishyura amagarama y'urubanza ngana na 20 000 frw.

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CASE PAGE <https://chat.esheria.ai/case-law/rwanda/ferwafa-v-alpha-palace-ltd-Legalpersonality-commercial-high-court-2014--6a3ea5223b1caa91298180e0>

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