

UGANDA / JUDGMENT

Kabenge and 2 Others v Kizza and 5 Others (Miscellaneous Application 1050 of 2024) [2025] UGHCLD 65 (29 May 2025)

[2025] UGHCLD 65

COURT

HC: Land Division (Uganda)

BEFORE

Kaahwa, J

CASE / FILE NUMBER

Miscellaneous Application 1050 of 2024

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THE REPUBLIC OF UGANDA IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA (LAND DIVISION) MISCELLANEOUS APPLICATION 1050 OF 2024

1. GITTA KABENGE

2. LUGOLOBI WILLY BAGEYENTE -----PLAINTIFFS

3. GITTA HARRIET

(ADMINISTRATORS OF THE ESTATE OF THE LATE GITTA SAFFANI WALUGEMBE)

VERSUS

1. ANDREW KIZZA

2. JOHN KAVUMA MUGAGGA

3. THE LAND COMMISSIONER LAND REGISTRATION -----DEFENDANTS

- 4. YUSUF KAWUMA

- 5. HUZAIRU SSEKAAYI

- 6. KISEKKA LAWRENCE

BEFORE: HON. LADY JUSTICE CHRISTINE KAAHWA**RULING**

This application is brought under section 98 of the Civil Procedure Act, Order 1 Rule 10(2) and 13 and Order 6 Rule 19 and 31 of the Civil Procedure Rules for orders that;

- a. The 4th, 5th and 6th Respondents; **YUSUF KAWUMA, HUZAIRU SSEKAYI and KISEKKA LAWRENCE** be added as defendants in Civil Suit No.555 of 2019.
- b. Leave be granted to the applicants to amend the plaint in the main suit to include the 4th, 5th and 6th Respondents as defendants.

- c. Costs of the application be provided for.

When Civil Suit No.555 of 2019 from where this application arose, was called for hearing the parties indicated that they had no objection to the addition of the 4th, 5th and 6th Respondents as defendants.

Counsel for the 2nd defendant/ 2nd respondent is from M/s Imran Advocates and Solicitors who were duly served with the application No.1050 of 2024. Counsel Mwanje Lawrence from M/s Imran Advocates and Solicitors represents the 4th, 5th and 6th respondents and had no objection to the proposed amendment.

I therefore allow the addition of the 4th, 5th and 6th respondents as defendants in Civil Suit No.555 of 2019.

In conclusion I make the following orders;

- 1. That Yusuf Kawuma, Huzairu Ssekayi and Kisekka Lawrence be added as defendants to Civil Suit No.555 of 2019.
- 2. That leave is granted to amend the plaint in the main suit to include the 4th, 5th and 6th respondents as defendants
- 3. Each party shall bear their own costs.

Dated at Kampala this 29th day of May 2025.

Christine Kaahwa JUDGE

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