

Katungye v Centenary Rural Development Bank Ltd & Ors (Miscellaneous Application No. 184 of 2013) [2013] UGHCCD 102 (5 August 2013)

[2013] UGHCCD 102

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SUBMISSIONS

Notice of Motion filed under S. 98 of the Civil Procedure Act 052, r 1 & 2 Civil Procedure Rules 4 Judicature (Court Vacation) Rules S. 1 No. 13-20 seeking order that Misc. Application 370 be certified as an urgent matter to be heard during Court Vacation.

The grounds

The first Respondent, Centenary Rural Development Bank Ltd & the second Respondent Benjo General Auctioneers & Court Bailiffs have advertised the Applicant's land for sale. The land is comprised in Block 225, Plot 174 situate, Kyadondo, Land at Kyaliwajala measuring 0.081 hectares. The Advert appeared in Bukedde dated 18th July 2013. It is filed and attached to the Misc. Application for Interim Order (Misc. Application No. 370). In the Advert the Applicant was ordered to vacate in 14 days. If property is not secured, Applicant stands to lose his property and house as shown in advert and already there are threats of eviction. Additionally, Applicant bought the land in 2001. The Agreement of purchase is attached as Annexure "A" to the Application for an Interim Order. The Applicant has filed Civil Suit No. 184 of 2013 in which he claims that the suit land is not a subject of attachment and states that first Respondent and third Respondent wrongfully and illegally put a mortgage on his land without his consent or authority.

I therefore pray that matter be certified as urgent to enable Applicant secure these properties.

RULING

I have heard the Applicant's lawyer's submissions and have perused the documents contained in the Affidavit as well as the cross references made. The Applicant states that he is in danger of being evicted from the suit property and will suffer substantial loss if this happens.

I am convinced that this is a good reason and befitting matter for the issuance of a Certificate of Urgency.

In the circumstances, it is hereby Ordered that Miscellaneous Application No. 370 of 2013 be certified as a matter of urgency and be heard during Court Vacation.

Signed:.....

Hon. Lady Justice Elizabeth Ibanda Nahamya

J U D G E

05th August 2013

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ORIGINAL SOURCE <https://ulii.org/akn/ug/judgment/ughccd/2013/102/eng@2013-08-05>

CASE PAGE <https://chat.esheria.ai/case-law/uganda/katungye-v-centenary-rural-development-bank-ltd-ors-miscellaneous-application-no-184-of-2013-2013-ughccd-102-5-august-2013-unknown-topic-unknown-cour>

Prepared on 14 October 2026 · Esheria