

UGANDA / JUDGMENT

Ntege v Tomusange Lasito and Others  
(MISC. APPLICATION NO 951 OF  
2024) [2025] UGHC 245 (30 April 2025)  
[2025] UGHC 245

COURT  
High Court of Uganda

BEFORE  
Kazaarwe, J

CASE / FILE NUMBER  
MISC. APPLICATION NO 951 OF 2024

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| THE REPUBLIC OF UGANDA | |-----| | IN THE HIGH COURT  
OF UGANDA AT KAMPALA | | (LAND DIVISION) | | MISC. APPLICATION NO 951 OF 2024 | |  
ARISING FROM CIVIL SUIT NO. 439 OF 2013 | | NUHU NTEGE-----<br>\$-VS-\$  
|

<table>

TOMUSANGE LASITO & 14 OTHERS-----10

**Before: Hon. Lady Justice Olive Kazaarwe Mukwaya**

**RULING**

$\mathsf{S}$

On the 17<sup>th</sup> October 2023, this Court delivered its Judgment in Civil Suit No. 439 of 2013. The suit was dismissed on grounds that the Plaintiff, Mr. Nuhu Ntege (Administrator of the Estate of the late Musa Musoke and that of Amisi Sembajjwe) had no inventory to either of the estates he represented. This Court found that the inventory was the only valid document which could reflect the true estimate of the deceased's estate properties.

During the National Court Open Day held in April 2024, the Plaintiff complained that he did have the inventory but he was not aware that it was a necessary requirement. It was upon receiving this complaint that this Court advised Mr. Ntege to file for review of

this Court's Judgment to admit the inventory in his possession hence this application. The 25 Respondents are opposed to this application.

I have perused the inventories relied upon by Mr. Ntege. They are marked annextures "E" and "F". Annexature "E" is dated 3<sup>rd</sup> March 2013 certified on 3<sup>rd</sup> November 2023. It is silent on the description of the true estimate of the two estates. Annexature "F" is dated 19<sup>th</sup> June 2024, a date after the Judgment of this Court was delivered. It is very detailed and includes properties apparently comprising the estates of the deceased.

When this Court granted Mr. Ntege leave to apply for review of its Judgment the understanding was that he had an inventory in his possession which his advocates failed to bring, to this Court's attention, the inventory Annexature "F" was not such a document. It is only Annexature "F" the inventory dated 3<sup>rd</sup> March 2013 which falls in that category. The Respondents severally pointed out that this Inventory did not include the suit land in Civil Suit No. 439 of 2013.

For that reason, this application must fail. There are no grounds to justify the review in this Court's decision. Before I take leave of this matter, I must state that even if grounds existed, it is a fact that Mr. Ntege filed a Notice of appeal against this Court's decision 10 dated 20<sup>th</sup> October 2023, prior to filing this application. This fact was brought to this Court's attention by the Respondents. In law the pending appeal renders this application for review an abuse of Court process. I took note of the fact that the applicant is unrepresented and the flaws in his application may be attributed to this fact.

$\$ \mathit{S} \$$

In conclusion, I dismiss this application with an order that each party bear its own costs. The reason is that the initiation of this application was upon the advice of this Court following the Applicant's complaint. It was only after the Applicant filed his application that the irrelevance of the inventory in his position became apparent. I so Order.

Olive Kazaarwe Mukwaya

Judge 25

30<sup>th</sup> April 2025

Delivered by Eccmis to Counsel for the Applicant and the Respondent.

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