

UGANDA / JUDGMENT

Sarah Nkongi v Rwanyamukinya Moslem Community (HCT-05-CV-CR-0001-2005) (HCT-05-CV-CR-0001-2005) [2005] UGHC 87 (5 July 2005) [2005] UGHC 87

COURT

High Court of Uganda

CASE / FILE NUMBER

HCT-05-CV-CR-0001-2005

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and that as such it should not have been accorded locus standi in the L. C. Court and that the resulting judgment could not have properly been given in its favour owing to such incapacity.

The respondent is known as Rwanyamukinya Moslem Community. It is not registered anywhere. In the case of *Posts and Telecommunications vs Terrazo Paviers* [1973] EA the respondent was held to be a legal person.

The respondent was held to be a legal person in *Posts and Telecommunications vs Terrazo Paviers* [1973] EA. The respondent was held to be a legal person in *Posts and Telecommunications vs Terrazo Paviers* [1973] EA.

The respondent was held to be a legal person in *Posts and Telecommunications vs Terrazo Paviers* [1973] EA. The respondent was held to be a legal person in *Posts and Telecommunications vs Terrazo Paviers* [1973] EA.

which dealt with a firm which was not a corporation sole Court stated that a firm which did not have a legal personality could not appear as such. Court stated further

that appearance is the process by which a person against whom a suit has been commenced shows his intention to defend the suit and submits to the jurisdiction of the court. In the case of a non-legal personality such as a firm it is necessary to have or

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cord the name or names of the partners who are appearing and therefore submitting to the jurisdiction of the court. In the instant matter several persons were interested in the matter as members of a certain community but this does not bestow on them corp

orate personality. While it is noteworthy the suit was first instituted by the applicant herein and that the respondents were dragged to court, so to speak, this in my opinion does not make any difference in the legal status of the respondent.

The respondent was held to be a legal person in *Posts and Telecommunications vs Terrazo Paviers* [1973] EA.

I find the respondent lacks the locus standi and I quash the judgment of the L.C. Court.

. C. III Court of Shuuku and set aside its orders. Since the respondent was not responsible for initiating the action parties are to bear their costs.

P. K. Mugamba

Judge

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\insrsid9585425\charrsid8146100 P. K. Mugamba

\par Judge

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617020786d6c6e733a613d22687474703a2f2f736368656d61732e6f70656e786d6c666f726d6174732e6f7
2672f64726177696e676d6c2f323030362f6d6169

6e22206267313d226c743122207478313d22646b3122206267323d226c743222207478323d22646b322220
616363656e74313d22616363656e74312220616363

656e74323d22616363656e74322220616363656e74333d22616363656e74332220616363656e74343d2261
6363656e74342220616363656e74353d22616363656e74352220616363656e74363d22616363656e743622
20686c696e6b3d22686c696e6b2220666f6c486c696e6b3d22666f6c486c696e6b222f3e}

{*\latentstyles\lsdstimax267\lsdlockeddef0\lsdsemihiddendef1\lsdunhideuseddef1\lsdqformatdef
0\lsdprioritydef99{\lsdlockedexcept \lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority0
\lsdlocked0 Normal;

\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority9 \lsdlocked0 heading 1;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 2;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 3;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 4;

\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 5;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 6;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 7;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 8;\lsdqformat1 \lsdpriority9 \lsdlocked0 heading 9;

\lsdpriority39 \lsdlocked0 toc 1;\lsdpriority39 \lsdlocked0 toc 2;\lsdpriority39 \lsdlocked0 toc 3;\lsdpriority39 \lsdlocked0 toc 4;\lsdpriority39 \lsdlocked0 toc 5;\lsdpriority39 \lsdlocked0 toc 6;\lsdpriority39 \lsdlocked0 toc 7;

\lsdpriority39 \lsdlocked0 toc 8;\lsdpriority39 \lsdlocked0 toc 9;\lsdqformat1 \lsdpriority35 \lsdlocked0 caption;\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority10 \lsdlocked0 Title;\lsdpriority1 \lsdlocked0 Default Paragraph Font;

\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority11 \lsdlocked0 Subtitle;\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority22 \lsdlocked0 Strong;\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority20 \lsdlocked0 Emphasis;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority59 \lsdlocked0 Table Grid;\lsdunhideused0 \lsdlocked0 Placeholder Text;\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority1 \lsdlocked0 No Spacing;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority60 \lsdlocked0 Light Shading;\lsdsemihidden0 \lsdunhideused0 \lsdpriority61 \lsdlocked0 Light List;\lsdsemihidden0 \lsdunhideused0 \lsdpriority62 \lsdlocked0 Light Grid;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority63 \lsdlocked0 Medium Shading 1;\lsdsemihidden0 \lsdunhideused0 \lsdpriority64 \lsdlocked0 Medium Shading 2;\lsdsemihidden0 \lsdunhideused0 \lsdpriority65 \lsdlocked0 Medium List 1;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority66 \lsdlocked0 Medium List 2;\lsdsemihidden0 \lsdunhideused0 \lsdpriority67 \lsdlocked0 Medium Grid 1;\lsdsemihidden0 \lsdunhideused0 \lsdpriority68 \lsdlocked0 Medium Grid 2;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority69 \lsdlocked0 Medium Grid 3;\lsdsemihidden0 \lsdunhideused0 \lsdpriority70 \lsdlocked0 Dark List;\lsdsemihidden0 \lsdunhideused0 \lsdpriority71 \lsdlocked0 Colorful Shading;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority72 \lsdlocked0 Colorful List;\lsdsemihidden0 \lsdunhideused0 \lsdpriority73 \lsdlocked0 Colorful Grid;\lsdsemihidden0 \lsdunhideused0 \lsdpriority60 \lsdlocked0 Light Shading Accent 1;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority61 \lsdlocked0 Light List Accent 1;\lsdsemihidden0 \lsdunhideused0 \lsdpriority62 \lsdlocked0 Light Grid Accent 1;\lsdsemihidden0 \lsdunhideused0 \lsdpriority63 \lsdlocked0 Medium Shading 1 Accent 1;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority64 \lsdlocked0 Medium Shading 2 Accent 1;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority65 \lsdlocked0 Medium List 1 Accent 1;
\lsdunhideused0 \lsdlocked0 Revision;

\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority34 \lsdlocked0 List Paragraph;
\lsdsemihidden0 \lsdunhideused0 \lsdqformat1 \lsdpriority29 \lsdlocked0 Quote;\lsdsemihidden0
\lsdunhideused0 \lsdqformat1 \lsdpriority30 \lsdlocked0 Intense Quote;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority66 \lsdlocked0 Medium List 2 Accent 1;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority68 \lsdlocked0 Medium Grid 2 Accent 1;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority69 \lsdlocked0 Medium Grid 3 Accent 1;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority70 \lsdlocked0 Dark List Accent 1;\lsdsemihidden0
\lsdunhideused0 \lsdpriority71 \lsdlocked0 Colorful Shading Accent 1;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority72 \lsdlocked0 Colorful List Accent 1;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority73 \lsdlocked0 Colorful Grid Accent 1;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority60 \lsdlocked0 Light Shading Accent 2;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority61 \lsdlocked0 Light List Accent 2;\lsdsemihidden0
\lsdunhideused0 \lsdpriority62 \lsdlocked0 Light Grid Accent 2;\lsdsemihidden0 \lsdunhideused0
\lsdpriority63 \lsdlocked0 Medium Shading 1 Accent 2;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority64 \lsdlocked0 Medium Shading 2 Accent 2;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority65 \lsdlocked0 Medium List 1 Accent 2;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority70 \lsdlocked0 Dark List Accent 2;\lsdsemihidden0
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\lsdunhideused0 \lsdpriority72 \lsdlocked0 Colorful List Accent 2;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority73 \lsdlocked0 Colorful Grid Accent 2;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority61 \lsdlocked0 Light List Accent 3;

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\lsdunhideused0 \lsdpriority63 \lsdlocked0 Medium Shading 1 Accent 3;\lsdsemihidden0
\lsdunhideused0 \lsdpriority64 \lsdlocked0 Medium Shading 2 Accent 3;

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\lsdsemihidden0 \lsdunhideused0 \lsdpriority66 \lsdlocked0 Medium List 2 Accent 3;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority67 \lsdlocked0 Medium Grid 1 Accent 3;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority68 \lsdlocked0 Medium Grid 2 Accent 3;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority69 \lsdlocked0 Medium Grid 3 Accent 3;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority73 \lsdlocked0 Colorful Grid Accent 4;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority64 \lsdlocked0 Medium Shading 2 Accent 5;
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\lsdsemihidden0 \lsdunhideused0 \lsdpriority67 \lsdlocked0 Medium Grid 1 Accent 5;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority68 \lsdlocked0 Medium Grid 2 Accent 5;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority69 \lsdlocked0 Medium Grid 3 Accent 5;

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\lsdunhideused0 \lsdpriority72 \lsdlocked0 Colorful List Accent 5;

\lsdsemihidden0 \lsdunhideused0 \lsdpriority73 \lsdlocked0 Colorful Grid Accent 5;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority60 \lsdlocked0 Light Shading Accent 6;
\lsdsemihidden0 \lsdunhideused0 \lsdpriority61 \lsdlocked0 Light List Accent 6;

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