

THE REPUBLIC OF UGANDA
KYAMBOGO UNIVERSITY STAFF TRIBUNAL HOLDEN AT KYAMBOGO
MISCELLANEOUS APPLICATION NO. 01 OF 2019
(Arising from Staff Tribunal Appeal No. 01 of 2019)
REV. DR. GRACE LUBAALE.....APPLICANT
-VERSUS-
KYAMBOGO UNIVERSITY.....RESPONDENT

CORAM: **MR. ELIJAH MUWANGA WANTE, CHAIRPERSON**

 MR. ADAM TUSIIME MUGARURA, MEMBER

 MR. BRIGHT MUGISHA, MEMBER

 MR. MICHAEL ONGIRIANY, MEMBER

 MR. JOHN INNOCENT AUK, MEMBER

 MS. NORAH NAMPOMBA, MEMBER

RULING

The Applicant brought this Application by Notice of Motion under *Article 28, 42, 44(c)* of the Constitution of the Republic of Uganda 1995 (as amended) and Regulation No. 32.3 of the Kyambogo University Staff Tribunal Regulations, 2010 on 24.04.2019.

The Registrar of the Tribunal fixed the Application for hearing on 02.05.2019.

The Orders sought in this Application are set out in the Notice of Motion as follows;-

- a) An interim relief doth issue restraining the Respondent, its agents, servants and/ or employees and anyone rightfully acting for or under them from organizing and conducting elections of Deans and Heads of Faculty of Education and the Department of Teacher Education and Extension or any further acts of effecting*

transfer/ or appointment of staff in the said department until the disposal of the applicants appeal.

b) Costs of this application be provided for.

The grounds of the Application are set out in the Notice of Motion as follows;-

- a) The Applicant has filed an appeal before this Tribunal vide No.01 of 2019 and is yet to be disposed of.*
- b) The Applicant is challenging the Respondent's illegally and unlawful abolition of the Department of Teacher Education and Development Studies where he was substantive head.*
- c) That Applicant is further challenging his unlawful, illegal, fraudulently, wantonly and without any lawful justification his removal from office as substantive head of Department of Teacher Education and Development Studies and his subsequent transfer to the newly created department of Development Studies.*
- d) And now the Respondent is undertaking steps to organize elections in the Department of Teacher Education and Extension and Faculty of Education aimed at completely denying the Applicant his position and or any other position in the Faculty of Education.*
- e) The Applicant's Appeal No.01 of 2019 will be rendered nugatory if the Respondent and its agents continue to organize elections for the Dean and Head of Department of Faculty of Education and Department of Teacher Education and extension respectively.*
- f) Unless the Respondent and its agents are immediately restrained from further taking steps to organize and conduct elections in respect of the afore mentioned Faculty and Department, the Applicant is likely to suffer irreparable damage if completely dispossessed of his position as substantive Head of Department of*

Teacher Education and Extension and an opportunity to contest for any other position in the Faculty of Education.

g) It is just and equitable that the Application be granted.

The Application is supported by an Affidavit deposed to by Rev. Dr. Grace Lubaale, the Applicant dated **24.04.2019**. The affidavit generally expounds on the grounds set out in the Notice of Motion. The Respondent filed an Affidavit in Reply to which the Applicant filed a Rejoinder.

The Applicant was represented by Mr. Fredrick Ssemwanga of Ssemwanga, Muwazi & Co. Advocates and the Respondent was represented by Ms. Clare Ninsiima and Mr. Sam Herbert Mukwatiriri. The Applicant was present at the hearing of this application. There was no representative from the Appointments Board.

Ms. Clare Ninsiima submitted that the Application came to her attention on the **27.04.2019** and she fell sick on the same day. She had not had the time to put in the Respondent's Affidavit in Reply but had drafted one that had been taken for commissioning.

She prayed that in the interest of justice, the Tribunal should stand over the matter for a few minutes so as to allow the Affidavit in Reply to be on the record.

Mr. Ssemwanga for the Applicant submitted that Counsel for the Respondent acknowledged receipt of the Application on the **27.04.2019** which means that it was timely and adequately done.

He further submitted that Counsel for the Respondent is not the Department and the Records of previous sittings show that the Respondent has always been represented by two Counsel. He concluded by stating that her submission is untenable.

He further contended that the matter had been fixed for **10:00 o'clock** on the **02.05.2019** and it was almost coming to **1:00 o'clock** but there was no Affidavit in Reply.

He submitted that the Affidavit is not filed with the Tribunal but in the Registry, So the Respondent had no locus to appear before the Tribunal. He said that it is trite law now that a litigant who has not filed a defence or any application cannot be heard. Specifically he made

reference to High Court Decision of *Kaganzi v Hon. Idah Nantaba (Reference was never given to the Tribunal)* where Court granted an application because the parties had not filed any documents.

He submitted that in the above case, counsel for the applicant did not bother to ask anyone to hold brief for him or to ask the applicant herself to attend Court on the **11.02.2014** when the Appeal came up for Hearing.

He prayed that the Tribunal finds Dr. Grace Lubaale's Application unopposed since a litigant without any pleadings can't be heard. He prayed that the Tribunal grants the Orders sought in the Application.

Ms. Clare Ninsiima, in reply submitted that it was not the Respondent's will for the Affidavit not to have been filed and served. She cited *Article 126(2) (e) of the Constitution which states that:-*

“(2) In adjudicating cases of both a civil and criminal nature, the Courts shall, subject to the law apply the following principles-

(e) Substantive justice shall be administered without undue regard to technicalities.”

She prayed that the Tribunal looks at the substance and not the technicality of the Respondent not being on record due to failure of filing an Affidavit in reply.

The Tribunal considered the prayer of the Respondent and decided that the Respondent be given time to file an Affidavit in Reply.

It was the Tribunal's considered view that there must be a fair hearing as enshrined in *Article 28 of the Constitution of the Republic of Uganda 1995 (as amended)*. This right includes different components including being given adequate time to file documents.

Fair hearing is a cardinal principle which cannot be derogated. Counsel for the Respondent has been indisposed as she has been sick which is sufficient reason. Even Courts of law adjourn matters.

Since Ms. Clare Ninsiima has personal conduct of the matter, the Tribunal in the interest of justice grants her time to file an Affidavit in Reply today, **02.05.2019** before **5:00pm** and serve counsel for the Applicant today.

The Application is therefore adjourned to **03.02.2019** at **10:00 O'clock** for hearing and determination.

On **03.05.2019**, the Tribunal reconvened to hear and dispose of the Application.

Counsel Sam Herbert Mukwatiriri for the Respondent asked to clarify something before proceedings would start. He submitted that they do not sit in the Appointments Board as members but as advisors, so they do not make any decisions.

Mr. Ssemwanga in reply stated that the Respondent was served with an Affidavit deponed by Mr. Arthur Katongole. From the Agenda, Mr. Arthur Katongole is the Deputy University Secretary and not a member of the Tribunal and thus should not deliberate during the Tribunal sitting.

Counsel submitted that the Affidavit deponed by Mr. Arthur Katongole is illegal. He specifically made *reference to paragraph 3 of the Applicant's Affidavit in Rejoinder*. He submitted that the Affidavit offends the established laws regarding taking an oath.

Counsel Sam Herbert Mukwatiriri submitted that Counsel had to point out the area of illegality within the law so as to allow the Respondent reply.

Mr. Ssemwanga submitted that the affidavit was not taken according to the Oaths Act.

The Tribunal asked Counsel to state the law and section that had been breached.

Mr. Ssemwanga failed to state the law and section and stated that in the interest of justice, he withdraws the objection and prayed that the Application be heard.

Counsel submitted that the Application is premised on *Articles 28, 42, 44(c) of the Constitution of Uganda 1995 and Regulation No. 32.3 of the Staff Tribunal Regulations*.

He submitted that the background to the Application is:-

That the Applicant was aggrieved by the actions of the Respondent through its agents of removing him from office as a substantive Head of Department and further transfer from the Faculty of Education to the Faculty of Arts and Social Sciences.

That due to the above grievances, the Applicant petitioned the Appointments Board on the **09.01.2019** which upheld the actions and decisions of the Vice Chancellor.

That on the **28.01.2019** the Applicant appealed the same decision to the Tribunal vide *Appeal No. 01 of 2019*.

That the appeal is still pending before this Tribunal. That, however, the Applicant was surprised that before the appeal is determined, the Respondent is undertaking steps of replacing him, hence he brought this Application.

That this Application is premised on the grounds in the Notice of Motion and supporting Affidavit of Rev. Dr. Grace Lubaale and is basically seeking for stay of elections in the Faculty of Education specifically for the position of Dean, Faculty of Education and the position of Head of Department of Teacher Education and Extension.

Counsel submitted that the Applicant is not seeking for stay of all elections but the specific positions mentioned above and Counsel stated the grounds as follows;-

- 1) *That there is a pending Appeal which is yet to be determined by this Tribunal vide Tribunal Appeal No. 01 of 2019. He submitted that this is undisputed as it is stated in paragraphs 2, 5 & 6 of Dr. Lubaale's Affidavit in support of the Application.*

He submitted that this ground is also confirmed by Mr. Arthur Katongole in **Paragraph 5** of the **Affidavit in Reply** and the appeal is to be heard on Notice and it has not been assigned a date yet the process of electing members is ongoing aimed at replacing the Applicant.

Counsel submitted that if this Application is not granted, it will render the subsequent Tribunal proceedings nugatory and academic since the Applicant would have lost his post and chance to contest in any position.

- 2) *That Applications of this nature envisage a serious threat or danger of damage of the subject matter of the suit.*

Mr. Ssemwanga submitted that in this respect, the subject matter of the appeal is the Applicant's unlawful removal from his position as substantive Head of Department which he is still contesting in this Staff Tribunal and this Tribunal should preserve the subject matter until the appeal is disposed of.

Counsel stated that this is stated in **Paragraph 7** of the Affidavit of the Applicant and specifically in paragraph 7, it shows a serious threat which is Annexure B, A letter from the Academic Registrar's Department taking steps in forming the Electoral Commission to conduct elections of positions including the one of the Applicant in the appeal.

Counsel further submitted that Annexure B is time specific and states that elections will be conducted within May and the Tribunal has not taken a decision in the appeal. That **Paragraph 8** states that if the Application is not granted, the appeal will be rendered nugatory as the Applicant would be completely dispossessed of his position as substantive Head of Department and being a Senior Lecturer in the said Department.

That **Paragraph 3** is to the effect that the law envisages irreparable damage that if this Application isn't granted, the Applicant will irreparably be damaged in a way which can not be atoned for in way of monetary terms.

3) That loss of position cannot be atoned to by monetary terms.

Counsel submitted that this affects one's C.V as being a Head is a contractual obligation and loss of opportunity to contest as Head of Department of Teacher Education cannot be compensated as the Respondent wanted the Tribunal to believe in its Affidavit in Reply. Therefore, if this Application is not granted, the Applicant will be irreparably damaged.

4) That this Tribunal ought to preserve the Status Quo until the Appeal is disposed of.

Mr. Ssemwanga submitted that in the interest of justice, the right to appeal and the right to a fair hearing which is a principle of natural justice which is made non-derogable in **Article 44 of the Constitution of Uganda**, the Tribunal should grant this application.

Counsel submitted that the status quo is in favour of the Applicant because the elections of the Dean have not been done, there is no substantive Head of Teacher Education and Extensions and

prior to his purported removal from office which he is challenging before this Tribunal, he was the substantive Head with a running contract of four (4) years.

That when he was subsequently removed and transferred by the decision of the Appointments Board, he contested the same by way of an appeal.

That therefore, once one contests a decision of the Appointments Board, according to the *Universities and Other Tertiaries Institutions Act*, until the appeal is determined, there can be no formal replacement of the Applicant.

That the Affidavit deponed by Mr. Arthur Katongole does not show anywhere that there will be any inconveniences to the Respondent if the application is granted.

That balance of convenience is in favour of the Applicant as opposed to the Respondent.

Counsel for the Applicant submitted that he buttresses his submission to a decision made by this Tribunal in the **Appeal Case No. 02 of 2018** where the Tribunal stayed recruitment pending hearing of the case.

He prayed that in the interest of substantive justice, this application be granted and costs awarded to the Applicant.

Counsel for the Respondent submitted in reply and Counsel Clare Ninsiima submitted first.

Ms. Clare Ninsiima submitted that the Respondent's reply is supported by an Affidavit deponed by Mr. Arthur Katongole, the Deputy University Secretary.

She submitted that for the Tribunal to understand the gist of the application, the Tribunal needs to have a background of the same case and she stated the facts as follows;-

That to answer the question whether there was an illegal abolition of the Department of Teacher Education and Development Studies, the background to the case was necessary.

She submitted that on the **16.03.2019**, the University Council re-structured the Department of Teacher Education and Development Studies.

That this was the Department that was headed by the Applicant.

That Council had taken the decision to split the same and created four (4) new Departments.

That it created the Department of Teacher Education and Extensions, the Department of Curriculum, Teaching, Instructions and Media Studies, the Department of Early Childhood Development and the Department of Development Studies shifted to the Faculty of Arts and Social Sciences to enable the Department of Teacher Education focus on its core mandate.

That the question whether this decision of the Council was unlawful can be answered in the *Universities and Other Tertiaries Institution Act, Section 40(2) (a) which provides for the functions of the University Council.*

Section 41(e) provides for Powers of the University Council as to establish faculties, departments, boards and courses of study and approve proposals for creation or establishment of constituent colleges.

Therefore, Counsel submitted that the splitting of the Department of Teacher Education and Development Studies was within the powers and functions of the University Council and while taking the decision, the Council was taking a lawful decision.

She submitted that following that decision, it meant that the Department of Teacher Education and Development Studies became defunct and the person heading the same became redundant.

That it is therefore not true that an illegal decision was made by the Council.

Counsel stated the law that governs the Respondent on what happens when new Departments are created. She cited *Section 54(2) of the Universities and Other Tertiaries Institution Act which provides that in the case of a department in the process of being established, the Vice Chancellor shall appoint an acting head of that department to hold office for a period of one year after which the Head of Department shall be elected under subsection (1).*

That in view of the above provision, the decision of the Council had to be operationalized and the power is given to the Vice Chancellor to appoint Acting Heads of Department. Counsel submitted that what happens to the employees thereafter is provided for under *Regulation 6.1 and 6.2 of the Kyambogo University Human Resource Manual.*

She submitted that first is Regulation 6.2.4 which stipulates that employees may be transferred from one Department to another for career development or operational and structural reasons. Requests for transfer may be made either by Heads or by employees.

Counsel then submitted on Regulation 6.1.2 which states that transfers also enable the University to deploy employees to areas where they can best contribute to and meet the staffing requirement and changing priorities of the University.

Counsel submitted that if the same was legally conducted, then how does the interim order come into play?

She submitted that the law governing interim orders is well articulated especially in case law and invited her colleague, Counsel Sam Herbert Mukwatiriri to submit.

Counsel Sam Mukwatiriri submitted that for starters, when granting such applications, the discretion is entirely given to the Court/ Tribunal. Counsel cited the case of *ELT- Kiyimba Kaggwa vs. Hajji Abdul Nasser 1985 [HCB] 43, the decision of Hon. Justice Odoki (as he then was) where he laid out the principles to be used in granting interim orders as;-*

On granting remedies of this nature, courts have wide discretionary powers. This is to preserve the status quo until the question is investigated and disposed off. The Applicant must show a prima-facie case and a possibility that his/her case is likely to succeed.

Counsel submitted that the Tribunal should be mindful that the application is not frivolous or vexatious. This is intended not to entertain cases that do not merit.

That as his colleague had submitted, all that was done by the Respondent was lawful and in their view the Applicant's Appeal might not succeed. This is supported by paragraph 7 of the Affidavit in Reply of the Respondent.

Counsel strongly submitted that the Applicant has glaringly failed to show in his affidavit that there is a prima-facie case against the Respondent.

Counsel cited the case of *Godfrey Ssekitoleko & 4 Others vs. Szezi Peter Mutabazi & 2 Others C/A No. 65 of 2011 where court laid out and explained what amounts to a prima-facie case.*

The claim should not be frivolous or vexatious and there should be a serious question to be tried.

Counsel submitted that in the present case, the Applicant claims that the Academic Registrar is undertaking steps to organize and conduct elections in the Faculty of Education and the same when carried out will deny him the position as substantive Head of the Department of Teacher Education and Extension.

Counsel submitted that they had explained that the Applicant was legally and properly transferred to another Faculty. The Faculty is Arts and Social Sciences.

That the positions collapsed and there was nothing to guarantee him that once the Department is split, then he would automatically become the Head of Teacher Education & Extension.

Counsel submitted that in essence, a new Department was created and the procedure to elect who heads the Department is well illustrated in ***Section 54 of the Universities and Other Tertiaries Institutions Act.***

Counsel submitted that whatever transpired was a good act of faith on the side of the Respondent to facilitate teaching and learning within the University.

Counsel further submitted that counsel for the Applicant laboured to explain that the status quo must be maintained. Counsel for the Respondent submitted that with the background earlier stated by the Senior Legal Officer, Ms. Clare Ninsiima, the status quo collapsed and is challenging business in another Department which he does not belong to and challenging something that does not exist.

Counsel submitted that on the issue of glaring threat, if this application is not granted, he reiterated his earlier submission that the threat the Applicant is stating does not exist. That had the advert been directed to the Faculty of Arts and Social Sciences, then the application would hold water.

On the ground of irreparable damages, Counsel submitted that the principle was stated by ***Hon. Justice Odoki (as he then was) in the earlier cited case of ELT- Kiyimba Kaggwa vs. Hajji Abdul Nasser 1985 (HCB) 43, that irreparable injury does not mean that there must not be***

physical damage of repairing the injury but means that the injury must be a substantial or material one that cannot be adequately compensated for in damages.

In relation to the facts and submissions, Counsel submitted that being Head of Department is an additional responsibility. The Applicant is substantively appointed and employed as a Senior Lecturer and given additional responsibilities as a Head of Department.

Counsel submitted that the difference between the two is that an additional responsibility attracts an allowance but not a salary. Besides, the Applicant still has an opportunity to contest as a Head of Department in the Faculty of Arts and Social Sciences where he is deployed.

On the final ground of balance of convenience, Counsel submitted that it is trite law that if court is in doubt on any of the first principles, it would decide the application on the balance of convenience.

Counsel submitted that this literally means that if the risk of doing an injustice is going to make the Applicant suffer, then probably the balance of convenience is favorable to him. Counsel cited the case of *Victoria Construction Works Limited vs. UNRA HC Misc. Appln. No.601 of 2010* where His Lordship Justice Lugayizi observed that *if the Applicant fails to present a prima-facie case with a likely hood of success, irreparable injury and need to preserve the status quo, then he/she must show that the balance of convenience is in his/her favour.*

Counsel submitted that if this application is not granted, the Applicant will not suffer any form of injustice or any form of injury but instead if it is granted, the Respondent is likely to suffer injury or injustice and this will go to the root of the activities of the Respondent.

That therefore, the balance of convenience is in favour of the Respondent.

Counsel further submitted that Counsel for the Applicant relied on the Tribunal ruling of *Appeal No.02 of 2018* where the Tribunal stayed recruitments pending disposal of the main appeal, however, the circumstances are different and distinguishable as the interim order in that case was issued by consent of the Applicants and the Respondent.

That *Appeal No. 02 of 2018* was hinged on substantive appointments which went to the root of the application and in the latter, it is another additional responsibility.

Counsel finally prayed that the same should not be used as a basis to inform the Tribunal and prayed that the Application be dismissed.

In rejoinder, Counsel Ssemwanga for the Applicant submitted that Counsel Clare Ninsiima had submitted on the merits of the appeal and that therefore, Annexure A of the Affidavit in Support of the Application clearly outlines the grounds upon which the appeal was brought which the Tribunal should follow.

Counsel prayed that the triable issues be determined in the main suit and not in the application for an interim order.

Mr. Ssemwanga submitted that Teacher Education and Extensions is not a new Department but has been changing names and just went back to the original name.

Counsel submitted that on the issue of whether the decision was legal or illegal, it was for the Tribunal to determine the same and this warranted preservation of the status quo.

Counsel referred to *Section 54(4) of Universities and Other Tertiaries Institutions Act which states that the Head of Department shall hold office for four (4) years and shall be eligible for re-election for one more consecutive term.*

Counsel submitted that Counsel for the Respondent submitted that the decisions were being operationalized, but these were illegal and irregular and these are triable issues.

On the Regulation on transfer, Counsel submitted that how do you transfer staff? And these are triable issues which warrant an order to stay the elections in the Department so as to dispose of the main appeal.

Mr. Ssemwanga submitted that Counsel Sam Mukwatiriri for the Respondent submitted a lot of cases which would be good for academic in a law school and that some of the cases cite the principles that he, Mr. Ssemwanga had earlier stated.

Counsel submitted that on the issue of the application being frivolous and vexatious, Counsel for the Respondent did not show how it is frivolous and vexatious yet the Applicant states how he will be affected.

Counsel submitted that on the many cases that Counsel referred to, there was no copy of the same presented to the Tribunal. He stated that how does the Tribunal know that they are not whatsapp cases, that Counsel ought to have availed the same to the Tribunal.

However, it is worth noting that Counsel for the Applicant himself did not provide any copy of his cited cases nor did he provide reference of the same to the Tribunal, but Counsel for the Respondent provided references of his cases to the Tribunal. (*Kaganzi v Hon. Idah Nantaba (Reference was never given to court)*) found on page 4 of the Ruling.

On the issue stated by Counsel Mukwatiriri for the Respondent that the Applicant is not a member of Teacher Education since the Department of Teacher Education and Development Studies collapsed. Counsel for the Applicant submitted that the Department had not yet collapsed since when the Applicant was presented with a transfer, he filed the appeal.

Counsel cited *Section 57(3) of Universities and Other Tertiaries Institutions Act and submitted that the same states that where a member of staff has been removed from office or employment by the Appointments Board, he/she shall be deemed to be suspended until the expiry of the period allowed for appeal, at which date the removal shall become effective, or, where an appeal has been lodged in time, the suspension shall remain in force until the court determines the appeal.*

Counsel's submission on the threat was that the Applicant is protected by virtue of *Section 53(3) of Universities and Other Tertiaries Institutions Act which states that subject to subsection (2) a Dean or Director shall hold office for a period of four (4) years and shall be eligible for re-election for one more consecutive term.*

Counsel's final submission was that in the interest of justice, apart from Counsel for both parties, Mr. Arthur Katongole should move out of the Tribunal Proceedings as he is the deponent of the Affidavit in Reply to the Applicant's Application.

The Chair asked Mr. Arthur Katongole to move out and he obliged for the members to make deliberations and make a ruling.

The Tribunal has heard the submissions of both counsel and has perused the record and the authorities cited to it and rules as follows:

On the ground of a pending appeal stated in Paragraphs 2, 5 & 6 of the Applicant's Affidavit, the same is not disputed by the Respondent as can be seen from Paragraph 7 of the Respondent's Affidavit in Reply.

We agree as a matter of fact that there is an appeal lodged by the Applicant/ Appellant pending in this Tribunal.

Regulation 32.3 of the Kyambogo Staff Tribunal Regulations states that notwithstanding sub-regulation 1 & 2 of these Regulations, nothing in these Regulations shall limit the inherent powers of the Tribunal to hear and dispose of any Application/ Appeal discretionary in the interest of justice.

We therefore, find that there are triable issues to be decided in the pending appeal which will be rendered nugatory if this application is not granted.

There is evidence vide letter dated **7.03.2019** addressed to Deans of Faculties (Annexure B) of the Applicant's Affidavit in Support of the Application that the process has been started to set up an Electoral Commission and conduct elections for Deans of Faculties/ Schools and Heads of Department to be conducted in May 2019 though the exact date has not been stated when the elections will take place.

These elections are likely to affect the Applicant's appeal unless the application for an interim order of stay is granted.

We find that sufficient cause has been established by the Applicant for grant of this application.

This application therefore succeeds and we hereby order that an interim order of stay of Elections of the Dean, Faculty of Education and Head of Department of Teacher Education and Extensions issue until the hearing and disposal of the said appeal in the Tribunal. We make no order as to costs of this application.

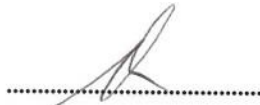
We further order that, the appeal from which this application arises will be heard by way of written submissions in order to expedite the hearing and disposal of the appeal by this Tribunal. Counsel for the Applicant is given 7 days from the delivery of this ruling to file and serve on the Respondent the Applicant's written Submissions.

The Respondent is also given 7 days from the date of service of the Applicant's submission to file the Respondent's submissions in reply and serve the Applicant's Counsel.

The Applicant is given 3 days to file and serve a rejoinder after receipt of the written submissions/reply from the Respondent.

The Tribunal will deliver its ruling on the appeal on notice

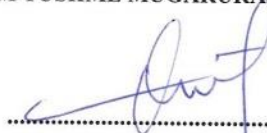
Dated at Kyambogo this 3rd day of May 2019.



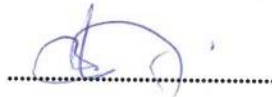
MR. ELIJAH MUWANGA WANTE, CHAIRPERSON



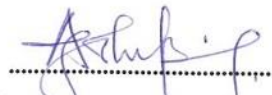
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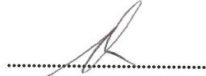
MS. NORAH NAMPOMBA, MEMBER

The Respondent is also given 7 days from the date of service of the Applicant's submission to file the Respondent's submissions in reply and serve the Applicant's Counsel.

The Applicant is given 3 days to file and serve a rejoinder after receipt of the written submissions/reply from the Respondent.

The Tribunal will deliver its ruling on the appeal on notice

Dated at Kyambogo this 3rd day of May 2019.



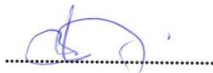
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16/16