

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
(CIVIL DIVISION)
MISC. APPLICATION NO..... OF 2023
(ARISING FROM CIVIL SUIT NO.0280 OF 2022)

EDITH NAGUJJA JAKANA APPLICANT

VERSUS

1. KAMPALA CITY COUNCIL AUTHORITY
2. JAKANA FOODS LIMITED
3. COMMISSIONER LAND REGISTRATION..... RESPONDENTS

CHAMBER SUMMONS

*(Under section 33 of The Judicature Act, Section 98 of The Civil Procedure Act
Order 10 Rules 12, 14, 15, 17, 18, 19, 24; Order 50 Rules 1 & 3 of the Civil Procedure
Rules)*

TAKE NOTICE that this Honorable Court shall be moved on the.....day of
.....2023 at in the fore/afternoon or soon thereafter as Counsel
for the Applicant can be heard for orders that:

1. The 1st Respondent provides for discovery to the Applicant certified copies of Bank Statements and/or payment details relating to the payment of Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty) by the 1st Respondent to the 2nd Respondent being compensation in relation to 0.066 acres of land mutated off LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo for construction of Nakamiro Drainage Channel.
2. The 2nd Respondent provides for discovery to the Applicant certified copies of Bank Statements for Account Number 0070017652 at **Tropical Bank, Kawempe branch** in the names of **Jakana Foods Limited** for the period June 2021 to November 2021.
3. The 3rd Respondent provides for discovery to the Applicant a copy of the white page for LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo showing all entries and encumbrances registered thereon.

4. Costs of the Application be provided for.

TAKE FURTHER NOTICE that this Application is supported by the affidavit of **EDITH NAGUJJA JAKANA** which shall be read and relied upon at the Hearing and contains the grounds upon which this Application is based but briefly they are:-

1. The Applicant instituted **Civil Suit No.280 of 2022** contending that in the subsistence of her caveat, the Respondents illegally and fraudulently dealt in the land comprised in **LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo**.
2. In their respective written statements of defence, the 1st and 2nd Respondents admitted that a sum of **Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty)** was paid by the 1st to the 2nd Respondent for the 0.066 acres off the land described herein without stating dates when the payment was done and/or made.
3. The documents sought to be discovered are necessary and/or relevant for the proper determination of matters arising in the **Civil Suit No.0280 of 2022** but are in the possession of the Respondents.
4. It is in the interest of justice that this application be granted.

DATED at Kampala this 11th Day of May 2023.



.....
(**MATRIX ADVOCATES**)

COUNSEL FOR THE APPLICANT

GIVEN under my hand and seal of this Honorable Court thisday of
2023.

.....
DEPUTY REGISTRAR

DRAWN & FILED BY:-
MATRIX ADVOCATES
RUMEE TOWERS (LEVEL 7)
PLOT 19, LUMUMBA AVENUE
P.O BOX 72390
KAMPALA-UGANDA

**THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
(CIVIL DIVISION)**

**MISC. APPLICATION NO..... OF 2023
(ARISING FROM CIVIL SUIT NO.0280 OF 2022)**

EDITH NAGUJJA JAKANA APPLICANT

VERSUS

- 1. KAMPALA CITY COUNCIL AUTHORITY**
- 2. JAKANA FOODS LIMITED**
- 3. COMMISSIONER LAND REGISTRATION..... RESPONDENTS**

AFFIDAVIT IN SUPPORT OF CHAMBER SUMMONS

I EDITH NAGUJJA JAKANA of c/o M/s Matrix Advocates, Level 7, Rume Towers Plot 19, Lumumba Avenue, P.O Box 72390, Kampala do hereby affirm and state;

- 1. THAT I am a female adult Ugandan of sound mind, the Plaintiff in Civil Suit No.0280 of 2022, the Applicant herein and I swear to this affidavit in support of the Chamber Summons in that capacity.**
- 2. THAT I instituted Civil Suit No.280 of 2022 contending that in the subsistence of my caveat, the Respondents illegally and fraudulently dealt in the land comprised in LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo (A Copy of the Plaint is attached hereto and marked "A")**
- 3. THAT in paragraph 6 (d) of the 1st Respondent's written statements of defence, it admitted that a sum of Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty) was paid by the 1st to the 2nd Respondent for the portion of the land described herein (A Copy of the 1st Respondent's Written Statement of Defence is attached hereto and marked "B").**
- 4. THAT in paragraph 13 of the 2nd Respondent's Written Statement of Defence, the 2nd Respondent admitted that the impugned sum was paid to it and a portion measuring 0.0hh hectares was mutated off the land described herein (A Copy of the 2nd Respondent's Written Statement of Defence is attached hereto and marked "C").**

5. **THAT** in my **Civil Suit No.280 of 2022**, I provided proof by way of search report issued by the 3rd Respondent that is annexed hereto and marked "D" to prove that my caveat vide instrument number KCCA-00068731 was intact on the land described herein.
6. **THAT** in paragraph 5 (e) of my **Civil Suit No.280 of 2022**, I averred that the face of my caveat; between June 2021 and November 2021, the Respondents herein transacted on the land described herein.
7. **THAT** on its part, the 3rd Respondent did not file a Written Statement of Defence despite having been served with the Summons and *Plaint (A Copy of the Affidavit of service is attached hereto and marked "D")*
8. **THAT** in all their respective Written Statements of Defence, the 1st and 2nd Respondents admitted dealing in the land described herein without stating dates when the payment was made or received.
9. **THAT** I have been advised by my Counsel M/S Matrix Advocates whose advice I verily believe to be true that it is necessary that the 1st Respondent provides for discovery; the payment details and or Bank statements in relating to the payment of **Ug.Shs.827,453,640/=** by the 1st Respondent to the 2nd Respondent being compensation in relation to 0.066 acres of land mutated off **LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo** for construction of Nakamiro Drainage Channel.
10. **THAT** I have been advised by my Counsel M/S Matrix Advocates whose advice I verily believe to be true that it is necessary that the 2nd Respondent provides for discovery; certified copies of Bank Statements for **Account Number 0070017652** at **Tropical Bank, Kawempe branch** in the names of **Jakana Foods Limited** for the period June 2021 to November 2021; being the Account number submitted by the 2nd Respondent in the Bio Data form dated 24th January 2019.
11. **THAT** I have been advised by my Counsel M/S Matrix Advocates whose advice I verily believe to be true that the payment details and Bank statements sought to be discovered are necessary for Court to determine the date when the impugned compensation was paid by the 1st Respondent to the 2nd Respondent.

12. THAT in their Written Statements of Defence, the 1st and 2nd Respondents contended that at the time of payment of the impugned compensation; there were no encumbrances on LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo.

13. THAT I have been advised by my Counsel M/S Matrix Advocates whose advice I verily believe to be true that the white page for LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo will confirm if my caveat is still intact and if it was vacated; the date when such vacation was made.

14. THAT I have been advised by my Counsel M/S Matrix Advocates whose advice I verily believe to be true that the documents sought to be discovered in the instant Application are necessary and/or relevant for the proper determination of matters arising in the Civil Suit No.0280 of 2022 but they are in the possession of the Respondents.

15. THAT it is in the interest of justice that this application be granted.

16. THAT all that is stated herein is true to the best of my knowledge and belief save for paragraphs 9, 10, 11, 13 and 14 whose source of information is stated therein.

SWORN at Kampala this 11th
Day of May 2023
By the said EDITH NAGUJJA JAKANA

] *Edith N. Jakana*
]
]
] DEPONENT

CERTIFICATE OF TRANSLATION

I *MARTIN SCERWATA* of Matrix Advocates, Rume Towers, Plot 19, Lumumba Avenue BEING FLUENT AND CONVERSANT WITH BOTH ENGLISH & LUGANDA LANGUAGES HEREBY CONFIRM THAT I HAVE TRANSLATED THE INSTANT AFFIDAVIT IN SUPPORT OF THE INSTANT APPLICATION FROM ENGLISH TO LUGANDA; THE LANGUAGE UNDERSTOOD BY THE DEPONENT AND I HEREBY CONFIRM THAT THE DEPONENT UNDERSTOOD THE CONTENTS HEREIN BEFORE SIGNING THE AFFIDAVIT IN SUPPORT.

Scerwata
.....

BEFORE ME

Fabian

.....
COMMISSIONER FOR OATHS



ECCMIS Security Code: !<Z9MZ7,4M

If this is the first time you need to access ECCMIS please go to , register to get credentials then login and click on the button "Find Case with Security Code" enter the case number and security code.



THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA(HCT) AT KAMPALA
CIVIL SUIT NO. HCT-00-CV-CS-0280-2022



A

EDITH NAGUJA JAKANAPLAINTIFF
VERSUS
COMMISSIONER LAND REGISTRATION, JAKANA FOODS LIMITED, KAMPALA CAPITAL CITY
AUTHORITYDEFENDANT

Summon to file Defence

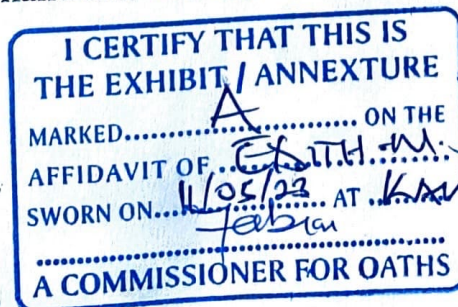
TO: COMMISSIONER LAND REGISTRATION, JAKANA FOODS LIMITED, KAMPALA
CAPITAL CITY AUTHORITY

WHEREAS the above named Plaintiff has instituted a suit against you upon the
claim, the particulars of which are set out in the copy of the plaint attached
hereto.

YOU ARE HEREBY REQUIRED to file a Defence in the said suit within fifteen
(15) days from the date of service of summons on you in the manner
prescribed under Order 9 Rule 1 Civil Procedures Rules.

SHOULD YOU FAIL to file a Defence on or before the date mentioned, the
Plaintiff may proceed with the suit and judgment may be given in your
absence.

Given under my hand and the seal of the Court this9th.....day of November 2022



Deputy/Assistant Registrar

A
Edith N. Jakana
11/05/22
Jabua
Kampala

DRAFT - HET - 00 - 04 - CS - 0366
- 2022



THE REPUBLIC OF UGANDA



IN THE HIGH COURT OF UGANDA AT KAMPALA

(CIVIL DIVISION)

CIVIL SUIT NO. 280 OF 2022

EDITH NAGUJJA JAKANA PLAINTIFF

VERSUS

1. KAMPALA CITY COUNCIL AUTHORITY
2. JAKANA FOODS LIMITED
3. COMMISSIONER LAND REGISTRATION DEFENDANTS

PLAINT

1. The Plaintiff is an adult female Ugandan of sound mind whose address for the purpose of this suit is C/o M/s W. Muhumuza & Co. Advocates, Kampala Boulevard, 2nd Floor, Room 201, Plot 17, Kamapala Road.
2. The 1st Defendant is a body corporate with perpetual succession and may be sued in its corporate name while the 2nd Defendant is a legal entity duly incorporated under the laws of Uganda. The Plaintiff's advocates undertake to effect court process on the Defendants.
3. The 3rd Defendant is the Commissioner in charge of land registration and has charge and control of the office of titles, general conveyance among other duties. The Plaintiff's advocates undertake to effect court process on the Defendants.
4. The Plaintiff brings this suit seeking a declaration that the Defendants illegally and fraudulently dealt in 0.066 Hectares of land comprised in LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo, Kyadondo in the face of the Plaintiff's caveat, an order directing that Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty) be paid by the Defendants jointly and severally to the Plaintiff, general and punitive damages against the Defendants, interest on the damages and costs of the suit.
5. The facts constituting the cause of action against the Defendants are as follows:



- a) The Plaintiff holds an equitable interest in the land comprised in LRV 4552 FOLIO 13 BLOCK 203 PLOT 11780 LAND AT KAZO, KYADONDO; the current proprietor having been registered thereon without her consent as a kibanja holder.
 - b) The captioned land is also subject to Civil Suit No.1099 of 2019 wherein the Plaintiff seeks for cancellation of the impugned Certificate of Title. (A Copy of the Plaint detailing her interest is attached hereto and marked "A")
 - c) In order to protect her above described interest, the Plaintiff duly applied and a caveat was duly registered on the land herein described. The said caveat is still intact according to the search report that is attached hereto and marked "B".
 - d) In the face of the said Plaintiff's caveat, the 1st Defendant transacted with the 2nd Defendant leading to the mutation of 0.066 acres off the described land for purposes of construction of a drainage channel yet the Plaintiff's caveat was at the time still intact (A Copy of the Board Resolution of the 2nd Defendant authorizing the impugned transaction is attached hereto and marked "C")
 - e) Between June 2021 and November 2021, the 1st Defendant paid to the 2nd Defendant a sum of Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty) being compensation for acquiring 0.066 acres of the described land (A Copy of proof of payment of the said funds shall be adduced at trial)
 - f) The aforementioned transaction and/or dealing in the described land was in utter disregard of the Plaintiff's caveat that is still subsisting on the captioned land.
6. The Plaintiff shall contend and aver that the transaction between the 1st and 2nd Defendants that culminated into compensation by the 1st Defendant to the 2nd defendant and mutation of 0.066 acres off the land described herein by the 3rd Defendant was illegal in the face of the Plaintiff's caveat.

7. The Plaintiff shall further contend that the impugned transaction between the Defendants was tainted with fraud.

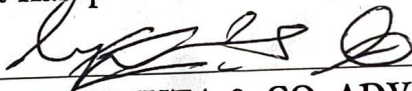
PARTICULARS OF FRAUD AGAINST THE DEFENDANTS

- i. Mutating off 0.066 acres off the land **LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo, Kyadondo** in the face of the Plaintiff's caveat encumbering the described land.
 - ii. Payment of compensation by the 1st Defendant to the 2nd Defendant well aware of the Plaintiff's interest but in total disregard of the same and the subsisting Plaintiff's caveat.
 - iii. Validating the transaction between the 1st and 2nd Defendant by the 3rd Defendant well aware that the Plaintiff had a subsisting caveat on the said land.
8. On the 29th day of November 2021, through her lawyers, the Plaintiff authored a correspondence addressed to the 2nd & 3rd Defendants seeking for clarity about how they dealt in the described land in the face of the Plaintiff's caveat but the same was disregarded. (A Copy of the Letter is attached hereto and marked "D")
 9. The Plaintiff shall contend and aver that the actions of the Defendants in as far as the impugned transaction is concerned were wanton, highhanded and in total disregard of the Plaintiff's subsisting caveat and as such entitle the Plaintiff to recovery of general and punitive damages.
 10. The value of the subject matter of the suit land is over **Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty)**.
 11. Notice of intention to sue was effected on the Defendants but the same was ignored.
 12. The cause of action arose in Wakiso within the jurisdiction of this Honourable Court.

WHEREFORE THE PLAINTIFF prays that judgment be entered for the Plaintiff against the Defendant for: -

- a) A declaration against the Defendants that their dealing in 0.066 Hectares of land comprised in **LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo, Kyadondo** in the face of the Plaintiff's caveat was tainted with fraud and illegality.
- b) An order directing that **Ug.Shs.827,453,640/= (Uganda Shillings Eight Hundred Twenty Seven Million, Four Hundred Fifty Three Thousand, Six Hundred Forty)** be paid by the Defendants jointly and severally in Court for the benefit of the Plaintiff.
- c) General and punitive damages against the Defendants
- d) Interest on the damages
- e) Costs of the suit.

DATED at Kampala this 09th day of August 2022


**M/S W. MUHUMUZA & CO. ADVOCATES
(COUNSEL FOR THE PLAINTIFF)**

DRAWN & FILED BY:-
M/S W. MUHUMUZA & CO. ADVOCATES
KAMPALA BOULEVARD,
2ND FLOOR, ROOM 201,
PLOT 17, KAMAPALA ROAD.

B

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA
(CIVIL DIVISION)
CIVIL SUIT NO. 280 OF 2022

EDITH NAGUJJA JAKANA ===== PLAINTIFF

VERSUS

- 1. KAMPALA CAPITAL CITY AUTHORITY
- 2. JAKANA FOODS LIMITED ===== DEFENDANTS
- 3. COMMISSIONER LAND REGISTRATION

1ST DEFENDANT'S WRITTEN STATEMENT OF DEFENCE

- 1. Save as herein expressly admitted, the 1st Defendant denies each and every allegation of fact contained in the Plaint as if the same were specifically set forth and traversed seriatim.
- 2. Paragraphs 1, 2 and 3 of the Plaint are admitted and the 1st Defendant adds that its address of service for the purpose of this suit shall be **C/o Directorate of Legal Affairs, Kampala Capital City Authority, Plot 1-3 Sir Apollo Kaggwa Road, P.O Box 7010, Kampala.**
- 3. The 1st Defendant shall at commencement of the trial raise a preliminary objection on points of law that –
 - a) the suit as against the 1st Defendant is fatally defective;
 - b) the matter in issue currently is also directly and substantially in issue in H.C.C.S NO. 1090 of 2019, in The High Court Kampala, Land Division a court vested with Jurisdiction to grant the reliefs claimed herein;

and shall apply to Court to strike out the suit with costs.

I CERTIFY THAT THIS IS
THE EXHIBIT / ANNEXTURE
MARKED..... ON THE
AFFIDAVIT OF
SWORN ON..... AT
.....
A COMMISSIONER FOR OATHS

In the alternative, but without prejudice to the 3rd Defendant's Preliminary Objection;

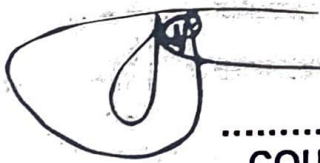
4. The 1st Defendant denies the contents of Paragraph 4 of the Plaint, and contends that the Plaintiff is not entitled to the reliefs sought.
5. The 1st Defendant further denies the contents of Paragraphs 4, 5(a-f), 6, 7, 8, 9 and 10 of the plaint and shall put the Plaintiff to strict proof.
6. The 1st Defendant in further reply to Paragraphs 4, 5(a-f), 6, 7, 8, 9 and 10 of the plaint avers as follows.
 - a. The 1st Defendant is a Government entity established by the Kampala Capital City Act to administer the Capital City of Kampala on behalf of the Central Government and among its functions is to construct and maintain drainage in Kampala.
 - b. During preparation for construction of Nakamiro Drainage Channel 7, the 1st Defendant carried out an identification, verification and disclosure exercise and the 2nd Defendant was identified as one of the persons whose developments would be affected by the drainage works.
 - c. The 1st Defendant verified that the property described as LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo Kyadondo belonged to the 2nd Defendant.
 - d. The 1st Defendant surveyed and valued the portion of the 2nd Defendant's property to be affected by the drainage works and determined the sum of UGX. 827,453,640/= as compensation which it paid the 2nd Defendant.
7. The 1st Defendant avers that at the time of compensating the 2nd Defendant for the area to be affected by the drainage works, the 2nd Defendant was the registered proprietor, there were no registered encumbrances on the Register of titles and it did not commit any fraud as alleged.

In the alternative,

8. The 1st Defendant contends that a caveat offers temporary protective measure enough for the applicant to take positive steps in determining the rights of the parties affected by it and is not indefinite and a permanent measure as envisaged by the Plaintiff.
9. The 1st Defendant avers and contends that the compensation transaction was not fraudulent as the 2nd Defendant was the registered proprietor and the alleged caveat had lapsed by the time the 1st and 2nd Defendant transacted.
10. The 1st Defendant has never been served with a notice to sue in this matter.
11. Save for the jurisdiction of this honorable Court, no cause of action arose against the 1st Defendant and the Plaintiff is not entitled to reliefs sought.

WHEREFORE the 1st Defendant prays that the suit be dismissed with costs.

DATED at Kampala this 7th day of December 2022



.....
COUNSEL FOR THE 1ST

LODGED in the Court Registry this 11th day of January 2023



.....
DEPUTY REGISTRAR

DRAWN & FILED BY:

Directorate of Legal Affairs
Kampala Capital City Authority
Plot 1-3, Apollo Kaggwa Road
P.O. Box 7010,
KAMPALA

Received
16/01/23
[Signature]

C

THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA
(CIVIL DIVISION)

CIVIL SUIT NO. 280 OF 2022
EDITH NAGUJJA JAKANA.....PLAINTIFF

VERSUS

- 1. KAMPALA CITY COUNCIL AUTHORITY
- 2. JAKANA FOODS LIMITED
- 3. COMMISSIONER LAND REGISTRATION.....DEFENDANTS

2nd DEFENDANT'S WRITTEN STATEMENT OF DEFENSE

- 1. Save as herein expressly admitted, the 2nd defendant denies each and every allegation of fact set out in the plaint as if the same were laid verbatim and traversed seriatim.
- 2. The contents of paragraph 2 are admitted in as far as they relate to the 2nd defendant.
- 3. The contents of paragraph 3 are noted.
- 4. Entirely, without prejudice to any other averments herein in this Written Statement of Defence, the 2nd defendant shall at the commencement of the hearing, raise preliminary objections to the competency of this suit on the grounds that:
 - a) The plaintiff has no cause of action against the 2nd defendant.
 - b) The facts and the subject matter in this suit are already being dealt with in another case that is: **High Court Civil Suit No.1090 of 2019.**
 - c) The plaintiff's suit is misconceived, premature, frivolous, vexatious, bad in law and an abuse of court process.
- 5. Without prejudice to the above, the 2nd defendant denies the contents of paragraph 4 of the plaint in toto and the plaintiff shall be put to strict proof of the same at trial. The 2nd defendant shall aver that the remedies being sought by the plaintiff thereunder are misguided, lack legal basis and are not supported by any evidence.

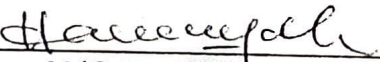
I CERTIFY THAT THIS IS
THE EXHIBIT / ANNEXTURE
MARKED.....**C**..... ON THE
AFFIDAVIT OF **EDITH N. J.**
SWORN ON **11/01/23** AT **KLA**
Jakana
.....
A COMMISSIONER FOR OATHS

6. In reply to paragraph 4 of the plaint, the 2nd defendant avers that the plaintiff is a shareholder of the 2nd defendant company and as such she was aware and is bound by the actions of the 2nd defendant.
7. In further reply to paragraph 4 of the plaint, the 2nd defendant shall aver that the plaintiff is not entitled to recover any of the reliefs prayed for or being sought against the 2nd defendant.
8. In specific reply to paragraph 5 (a) of the plaintiffs' plaint, the plaintiff has no equitable interest in the land comprised in LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo, Kyadondo.
9. In further reply to paragraph 5(a) of the plaint, the 2nd defendant shall aver that she is the registered proprietor of the land comprised in LRV 4552 Folio 13 Block 203 Plot 11780 Land at Kazo, Kyadondo. (A copy of the Certificate of Title is hereto attached and marked as annexure "A").
10. In reply to paragraph 5(b) of the plaintiff's plaint, the averments therein are speculative because there is no order for cancellation of the 2nd Defendant's Certificate of Title.
11. The contents of paragraph 5(C) are noted and the plaintiff shall be put to strict proof at trial.
12. The contents of paragraph 5(d) are noted and at trial, the plaintiff shall be put to strict proof.
13. In specific reply to paragraph 5(e) of the Plaintiff's plaint, the 2nd defendant was paid after due process was followed and upon which the 1st defendant mutated and subdivided the land measuring 0.066 hectares which it paid for.
14. The contents of paragraph 5(f) of the plaintiff's plaint are denied and the plaintiff shall be put to strict proof at trial.
15. Paragraphs 6 and 7 of the plaint are vehemently denied in toto and the plaintiff shall be put to strict proof of the contents therein.

16. In specific response to the particulars of fraud alleged by the plaintiff in (i), (ii), (iii), the 2nd defendant denies the contents therein and the plaintiff shall be put to strict proof at the hearing.
17. In further reply to the particulars of fraud alleged by the plaintiff in the plaint, the 2nd defendant further avers that there was no fraud committed by the 2nd defendant in the said transaction and that the whole transaction was done in accordance to the law.
18. The contents of paragraph 8 of the plaint are not within the 2nd defendant's knowledge and the plaintiff shall be put to strict proof of the same at trial.
19. In specific reply to paragraph 9, the 2nd defendant denies the contents in toto and the plaintiff shall be put to strict proof at trial.
20. The contents of paragraph 10 are noted.
21. The contents of paragraph 11 are denied and the plaintiff shall be put to strict proof of the same at trial.
22. The 2nd defendant submits to the jurisdiction of this Honorable Court.

WHEREFORE, the 2nd Defendant prays that the suit be dismissed against her with costs.

DATED at Kampala this 06 day of 12 2022.



M/S MACB ADVOCATES
COUNSEL FOR THE 2nd DEFENDANT

LODGED in the registry of this Honorable Court this 11th day of January 2023
2022.



REGISTRAR