



IN THE EAST AFRICAN COURT OF JUSTICE AT ARUSHA

(Coram: Hon Justices Jean Bosco Butasi, PJ; Isaac Lenaola, DPJ; Faustin Ntezilyayo, J; Monica K. Mugeny, J and Fakihi A. Jundu, J)

REFERENCE NO. 08 OF 2013

UGANDA ASSOCIATION OF SOUTH SUDAN LTD & 3 OTHERS APPLICANTS

VERSUS

THE ATTORNEY GENERAL OF UGANDA & 5 OTHERS RESPONDENTS

RULING OF THE COURT

1. On 4th September 2014 the First Respondent lodged its Certificate of Incorporation and Memorandum and Articles of Association in this Court.
2. At today's Scheduling Conference the First and Third Respondents raised preliminary points of law premised on Rule 24(4) of the Court's Rules of Procedure contending that the First Applicant, as a body corporate, was improperly before this Court.
3. The First Applicant responded to the objections raised by conceding that its Certificate of Incorporation and Memorandum and Articles of Association were indeed improperly on the court record. Counsel for the First Applicant thereupon withdrew the said documents and, as provided by Rule 4 of this Court's Rules, sought leave of Court to extend the time within which it could properly file the same.
4. The leave of court sought by learned Counsel today is in addition to leave in respect of the same subject matter that had been previously sought by the First Applicant and granted by this Honourable Court on 11th June 2014.

5. We find that Rule 4 upon which the present application is premised hinges on a party that seeks to rely thereon furnishing sufficient grounds for the grant of the leave sought.
6. Having heard from all the parties on this matter we find no sufficient reason to grant the leave sought by the First Applicant. We are not satisfied that the First Applicant has furnished us with such reasons as would warrant a further extension of the time within which it may lodge documents in proof of its legal status.
7. In the result, we decline to grant the leave sought by the First Applicant and do hereby strike out the First Applicant from the present proceedings.

Dated at Arusha this 5th day of September 2014.

HON. JUSTICE JEAN BOSCO BUTASI
PRINCIPAL JUDGE

HON. JUSTICE ISAAC LENAOLA
DEPUTY PRINCIPAL JUDGE

HON. JUSTICE DR. FAUSTIN NTEZILYAYO
JUDGE

HON. LADY JUSTICE MONICA K. MUGENYI
JUDGE

HON. JUSTICE FAKIHI A. JUNDU
JUDGE