

IN THE SUPREME COURT FOR ZAMBIA
HOLDEN AT NDOLA

APPEAL NO. 146 OF 2000

(Civil Jurisdiction)

B E T W E E N:

SAM CHOLA
BROWN CHIPANTA
MPELEMBE DRILLING COMPANY LIMITED
AND

1st APPELLANT
2nd APPELLANT
3rd APPELLANT

EMMANUEL MITTI
KENNEDY MUSONDA

1st RESPONDENT
2nd RESPONDENT

CORAM: Ngulube, CJ, Sakala and Chitengi, JJS.
On 5th June, 2002

For the appellant - Mrs. L. Mbaluku, of Messrs L.K. Mbaluku and Company

For the respondent - No appearance

R U L I N G

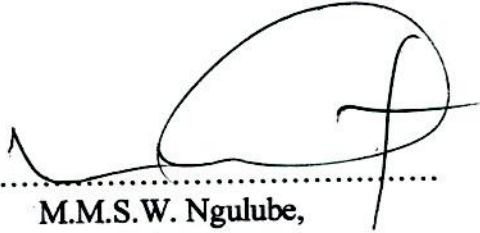
Ngulube, CJ, delivered the ruling of the Court.

Case referred to:-

1. **Choka -v- Chilufya, Appeal No. 132 of 2000.**

We have considered this matter which is on all fours with the case of **CHOKA -v- CHILUFYA, Appeal No. 132 of 2000** whose judgment has just been delivered and where the same issues and arguments arose. We repeat what we said in that case. We

affirm our decision in **CHOKA** and rule that for the same reasons given there this appeal is allowed, with costs.



.....
M.M.S.W. Ngulube,
CHIEF JUSTICE.



.....
E.L. Sakala,
SUPREME COURT JUDGE.



.....
P. Chitengi,
SUPREME COURT JUDGE.