

**IN THE HIGH COURT OF MALAWI
PRINCIPAL REGISTRY
CIVIL CAUSE NO. 682 OF 2001**

BETWEEN:

HON. B. J. MPINGANJIRAPLAINTIFF

AND

CHITAKALE TEA AND COFFEE ESTATES LIMITED1ST DEFENDANT

THE ATTORNEY GENERAL2ND DEFENDANT

CORAM: CHIMASULA PHIRI, J

R. Kasambala of counsel for the plaintiff

K. Kaphale of Counsel for the Defendant

Mrs Matekenya – Court Clerk

ORDER IN CHAMBERS

This is one of the matters the Parliamentarians used in their attempt to remove me from office. It is unfortunate that the events which unfolded between November 2001 and May 2002 have left indelible marks on my professional career. If I decided this matter in favour of the plaintiff, the defendants would think I am going flat out to revenge for the suffering I went through during the aforementioned period. Equally, if I decide in favour of the defendants, the plaintiff and the rest of the society would undoubtedly think that I am ready to abrogate my oath of office and please the defendants and their associates. In the circumstances I strongly feel, though with deepest regrets, that I should recuse myself from further handling this case. The matter will have to be argued afresh before another judge.

MADE in Chambers at Blantyre this 12th day of June 2002 at Blantyre.

CHIMASULA PHIRI

JUDGE