

IN THE HIGH COURT OF MALAWI

AT BLANTYRE

CIVIL CAUSE NO. 262 OF 1988

IN THE MATTER OF ORTAC AVIATION LIMITED

- and -

IN THE MATTER OF THE COMPANIES ACT 1984

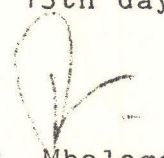
Coram: MBALAME, J.

Pitman, Counsel for the Applicant
Banda, Counsel for the Respondent
Kadyakale, Law Clerk
Gausi (Mrs.), Court Reporter

ORDER AS TO COSTS

The petitioner in this case has withdrawn his petition. What now remains is the question of costs. It is common ground that costs follow the event. Indeed the respondent was going to defend the petition. There was provision in their agreement between the parties that the debt was to be paid in 48 instalments. This was contained in the Creditor's letter of 24th November 1986. It is not clear in what period those instalments were to be paid. That, in my judgment, is the Creditor's fault. I award costs to the respondent.

Made in Chambers this 13th day of October, 1988 at Blantyre.


R.P. Mbalame
JUDGE

