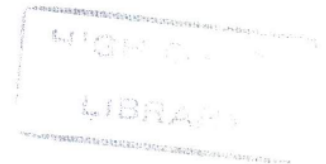


IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

CIVIL CAUSE NO. 1005 OF 2001



BETWEEN:

G.M. PHOSO

t/a WORLD RANGE AGENCIES.....PLAINTIFF

-and-

NATIONAL ROAD SAFETY

COUNCIL OF MALAWI.....DEFENDANT

CORAM: HON. JUSTICE A.C. CHIPETA

(Absent) of Counsel for the Plaintiff

Mr Nkhoma, of Counsel for the Defendant

Mr K. Matola, Official Interpreter/Recording Officer

RULING

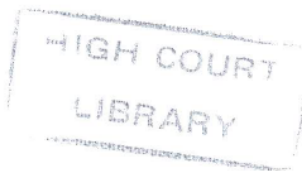
On 29th April, 2002 I heard the Judgment debtor's application to pay the Judgment debt herein by instalments. There was no representation from the Judgment Creditor's side, although it was duly and timeously served.

The Judgment debtor put its Accountant on the witness stand, a Mr W.Z. Malili, who on oath testified that the balance of judgment debt now owing is K27,000.00 which it is intended that the Judgment debtor clears in two equal monthly instalments of K13,500.00 each starting from the end of May, 2002 and ending at the end of June, 2002.

In the absence of representation on the part of the Judgment Creditor, I have no competing information as to the state of debt herein. I therefore have no choice but to go by the information supplied by the Judgment debtor. It is my view that if the state of debt as expressed is indeed correct, the offer to settle it as proposed is quite reasonable bearing in mind the woes of funding the Accountant testified on.

My Order, therefore, is that the Judgment Debtor pays to the Judgment Creditor K13,500.00 each month at the end of the months of May and June, 2002, the latest day of payment in each month being not later than the last day of the month.

Pronounced in open Court this 2nd day of May, 2002 at Blantyre.




A.C. Chipeta
JUDGE