

IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

CIVIL CAUSE NO. 680 OF 2000



BETWEEN:

CANDLEX LIMITED ..... PLAINTIFF  
-and-  
MARK KATSONGA PHIRI..... DEFENDANT

CIVIL CAUSE NO. 713 OF 2000

BETWEEN:

CANDLEX LIMITED..... PLAINTIFF  
-and-  
MARK KATSONGA PHIRI ..... DEFENDANT

CORAM: THE HON. MR. JUSTICE F.E. KAPANDA

M/S Savjani S.C. and Ndaou, of Counsel for the Plaintiff  
M/S Mhone and Mulere, of Counsel for the Defendant  
M/S Balakasi, Ngwale, Mankhanamba, Jere and Mzungu  
Official Interpreters/ Recording Officers

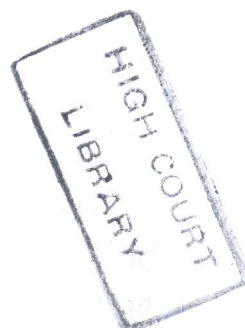
Dates of hearing : 28<sup>th</sup> January 2002, 1<sup>st</sup> February 2002, 4<sup>th</sup> February  
2002, 11<sup>th</sup> February 2002, 13<sup>th</sup> February 2002, 2<sup>nd</sup>  
April 2002, 5<sup>th</sup> April 2002, 8<sup>th</sup> April 2002, 18<sup>th</sup> April,  
2002, 8<sup>th</sup> May, 2002, 9<sup>th</sup> May 2002, 10<sup>th</sup> May 2002,  
16<sup>th</sup> May 2002, 25<sup>th</sup> July 2002, 28<sup>th</sup> October 2002,  
29<sup>th</sup> October 2002, 30<sup>th</sup> October 2002, 31<sup>st</sup> October  
2002 and 1<sup>st</sup> November 2002.

Date of judgment: 8<sup>th</sup> July 2003

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Kapanda, J

## JUDGMENT



### Introduction

The plaintiff company, Candlex Limited, is a private limited liability company incorporated in the Republic of Malawi. It was incorporated in 1983. The plaintiff company operates from its premises on Plot No. CC 936 at Maselema in the City of Blantyre of the said Republic of Malawi. The defendant is one of the three shareholders in the plaintiff company.

The relationship between the defendant and a fellow shareholder has gone sour. This, incidentally, has had an effect on the relationship between him and the plaintiff company. Hence the legal action herein.

