

**IN THE HIGH COURT OF MALAWI  
LILONGWE DISTRICT REGISTRY**

**CIVIL CASE NO. 813 OF 2007**

**BETWEEN**

**LIZZIE BANDA ..... PLAINTIFF**

**AND**

**MR. CHAKWAWA BANDA .....1<sup>ST</sup> DEFENDANT**

**MRS BANDA ..... 2<sup>ND</sup> DEFENDANT**

**CORAM : HON. JUSTICE NYIRENDA**

: Mr. T. Nyirenda, Counsel for the Plaintiff  
: Unrepresented, Counsel for the Defendant  
: Mrs. S. Mbewe, Court Reporter  
: Mrs. Nakweya, Court Interpreter

**ORDER**

This matter is before this Court for distribution of the estate of late Watson Penton Banda who died intestate.

It is clear to this Court that the application is misconceived because it is not the duty of Court to distribute deceased estate property. The law vests such duty in the administrators of the estate so appointed.

I have converted this matter therefore into a mere application for appointment of administrators.

Fortunately, all the parties see the point and have agreed on the following persons to be the administrators of the estate.

1. The District Commissioner, Dowa in his official capacity.
2. Mr. Chikago Pentigo Banda
3. Mr. Mandiza Kulenga
4. Mr. Divason Chikhosi

It is extremely urgent and imperative that the estate be administered soonest because some of the property is being used by relatives and may either get damaged or disappear.

The District Commissioner, Dowa shall convene the meeting with the other administrators soonest at which meeting he shall chair the discussions and document the administrators' determination.

MADE in Chambers at Lilongwe this 21<sup>st</sup> day of November, 2007.

A.K.C. Nyirenda  
**J U D G E**