



**JUDICIARY
IN THE HIGH COURT OF MALAWI
PRINCIPAL REGISTRY
PERSONAL INJURIES CASE NO. 608 OF 2011**

BETWEEN:

SOSTEN ERNEST PLAINTIFF

AND

FARMERS WORLD LIMITED DEFENDANT

CORAM: THE HONOURABLE JUSTICE KENYATTA NYIRENDA

Ms. Chijere, of Counsel, for the Plaintiff

Mr. Theu, of Counsel, for the Defendant

Ms. ... Mpasu, Court Clerk

ORDER

Kenyatta Nyirenda, J.

This is the Plaintiff's action against the Defendant for damages for assault and battery. It is alleged that the Plaintiff was beaten by the Defendant's guards when he was caught stealing trees I the Defendant's farm in Machinga.

Hearing of the case was concluded on 9th October 2015 and, following consultations and agreement by Counsel, the Plaintiff was given 14 days from 9th October 2015 within which he was to prepare and file with the Court his final written submissions. More than three months have elapsed since then and the Court is still waiting for the submissions.

In the absence of written submissions, the action is dismissed for failure to comply with directions. The Plaintiff is at liberty to have the action restored to the cause list on condition that he files his written submissions within ten days hereof. In the event that the written submissions are filed within the stipulated period, the Defendant is at liberty to file its written submission within ten days after being served with the Plaintiff's written submissions.

Pronounced in Chambers this 19th day of January 2016 at Blantyre in the Republic of Malawi.

Kenyatta Nyirenda
JUDGE