

**IN THE HIGH COURT OF MALAWI
LILONGWE DISTRICT REGISTRY
MATRIMONIAL CAUSE NUMBER 27 OF 2014**

BETWEEN:

IRACENA MARUOCO-----PETITIONER

AND

RUI MANUEL MARUOCO RIBEIRO-----RESPONDENT

CORAM: HON. JUSTICE M.C.C. MKANDAWIRE

Felisa Kilembe, for Petitioner

Itai, Court Clerk

ORDER

This is an order following an ex-parte Summons on application to amend judgement pursuant to Order 20 Rule 11 of the Rules of Supreme Court. In a nutshell, the application by the petitioner is that the judgment herein distributing matrimonial property be amended to clarify how the parties are to acquire their share in the matrimonial property that was distributed amongst them.

I have gone through the affidavit in support of this application. I am satisfied that pursuant to Order 20 Rule 11 of the Rules of the Supreme Court, I have the powers to amend or correct my own judgment or order so that it carries the intended objective. To begin with, when I made the order of distribution of the matrimonial property on the 24th of August 2016, I deliberately wanted to give the parties herein a window of opportunity to share the property in the most convenient manner as long as they reached a consensus using the formula ordered by the court as a guideline. It would however appear from this application that the sharing is proving to be problematic.

For purposes of clarity, the parties should discuss amongst themselves whether a buyout is feasible using the formula set down by the court. If within 14 days from

the date hereof a consensus is not reached, the parties should sale both the landed property and the motor vehicles in the Trans Ribeiro Transport and share the proceeds of sale using the formulae ordered by the court.

MADE THIS DAY OF FEBRUARY 2017 AT LILONGWE

M.C.C. MKANDAWIRE

JUDGE