



**IN THE HIGH COURT OF MALAWI
LILONGWE DISTRICT REGISTRY
CIVIL APPEAL NUMBER 113 OF 2016**

BETWEEN:

LEONARD ALISITALIKO ZULU-----1ST APPELLANT

ALISITALIKO ZULU-----2ND APPELLANT

AND

MARY SELESO-----RESPONDENT

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

Alisitaliko Zulu, 2nd Appellant

Respondent, Absent (deceased)

Mrs Mbewe, Court Reporter

Itai, Court Interpreter

JUDGMENT

This matter came before me in the form of an appeal against the decision of the Third Grade Magistrate sitting at Kalumbe in Mchinji. The matter before the magistrate related to the issue of encroachment on the land of the respondent. The lower court had found in favour of the respondent hence this appeal. The appellant filed three grounds of appeal. In a nutshell the grounds of appeal are that:-

1. The lower court erred in relying on the offer of lease of Mr Charles Chaona who was not at all a party to the proceedings in the lower court as the plaintiff was Mary Seleso now the respondent. The appellants also questioned the whereabouts of the title deed of Mary Seleso if the land was indeed hers.

