

IN THE HIGH COURT OF MALAWI
MZUZU DISTRICT REGISTRY: CIVIL DIVISION
MISC. CIVIL CASE NO 31 OF 2018
BETWEEN

Arnold Ben Kamoto.....Claimant

Levi Jere and 2 Others.....Defendants

CORAM:

HONOURABLE JUSTICE D.A. DEGABRIELE

Mr. G. Kadzipatike

Counsel for the Plaintiff

Mr. A.M. Mhone

Official Interpreter

Mrs. R. Luhanga

Court Reporter

DeGabriele, J

ORDER

I have noted that the defendants were served on 6th April, 2018 but have not filed a defence. The claimant herein then sought an *ex parte* injunction in the matter, but the Court ordered that the claimant make an *inter partes* application for the hearing of the applications for injunction.

Before the hearing of the application, the Claimant then filed for a default judgement as the Defendants has not filed a defence on file.

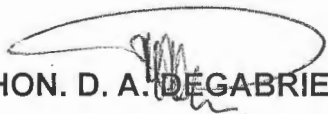
It is an order of this Court that since the *inter-parties* hearing for an order of injunction did not take place, it is categorically stated that **NO INJUNCTION HAS BEEN HEREBY GRANTED.**

The Court further orders that since there is no defence filed within the stipulated time frames under Order 10, Order 12 rule 6 of the **Court's (High Court) Civil Procedure Rules (2017).**

A default judgment is therefore entered against the Defendants on the claims as outlined in the Statement of Claim. The Assistant Registrar can issue the same.

It is so ordered.

Made in Chambers at Mzuzu Registry this 27th day of September 2018


HON. D. A. DEGABRIELE
JUDGE