



IN THE HIGH COURT OF MALAWI

PRINCIPAL REGISTRY

PERSONNAL INJURY CAUSE NUMBER 349 OF 2017

BETWEEN:

CHIPATERU CHIONE

CLAIMANT

AND

CHIPHA CHISAMBI

1st DEFENDANT

REUNION INSURANCE COMPANY LIMITED

2nd DEFENDANT

ORDER TO PAY COSTS &

ORDER ADMONISHING COUNSEL MWANGULUBE

The parties having appeared for mediation in this matter.

And an issue having arisen that counsel Mwangulube commenced another matter before the magistrate court on the same facts as in the present matter.

The claimants having denied instructing Mr Mwangulube to commence the matter.

And this Court having called Mr Mwangulube to explain his side and him having failed to appear for no good cause.

This Court exercises its supervisory powers under section 26 (1) of the Courts Act with respect to the lower court matter, which counsel Mwangulube has since withdrawn, and orders that he personally bears the costs of that matter at the subordinate court costs scale.

Those costs shall be agreed within 14 days failing which the defendants shall be at liberty to have taxed before the Chief Resident Magistrate.

This Court, in exercise of its disciplinary powers under section 21 (1) (i) of the Legal Education and Legal Practitioners Act, also admonishes Counsel Mangulube for his unprofessional conduct of failing to appear in this matter and for having commenced the matter without instructions from the claimant which tends to bring the legal profession into disrepute. He shall desist from such conduct henceforth.

Dated 25th July 2018.



M.A. Tembo
JUDGE

Counsel Mwangulube

MTM Law Chambers

M&M Global Law Consultants