



**JUDICIARY  
IN THE HIGH COURT OF MALAWI  
PRINCIPAL REGISTRY**



**CIVIL CAUSE NO. 364 OF 2016**

**BETWEEN**

**MATINDI PRIVATE ACADEMY ..... PLAINTIFF**

**AND**

**LEASING FINANCE COMPANY ..... DEFENDANT**

**CORAM: THE HONOURABLE JUSTICE KENYATTA NYIRENDA**

Mr. Chagwamnjira, of Counsel, for the Plaintiff

Mr. Mpaka, of Counsel, for the Defendant

Mr. O. Chitatu, Court Clerk

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**ORDER**

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*Kenyatta Nyirenda, J.*

This is an application brought under Order 29 of the Rules of the Supreme Court (RSC) whereby the Plaintiff seeks an order restraining the Defendant from selling and/or advertising for sale property which is being held as security under a loan with the Defendant, namely, Title Number Chigumula 1/396 [hereinafter referred to as the "Plaintiff's property"], or in any way interfering with the Plaintiff's peaceful enjoyment of the Plaintiff's property pending the determination of the main action herein.

The application came before me on 22<sup>nd</sup> September 2016, by way of an ex-parte summons, and there was filed along with the ex-parte summons an affidavit, sworn by the Plaintiff's Managing Director, Mr. Elvis Nserebo [Hereinafter referred to as the "Plaintiff's Affidavit"]. I granted an interlocutory injunction subject to an inter-partes hearing on 30<sup>th</sup> September 2016. The Defendant is opposed to sustaining the interlocutory injunction.



