

**IN THE HIGH COURT OF MALAWI
LILONGWE DISTRICT REGISTRY
CIVIL CAUSE NUMBER 1136 OF 2007**

ANNIE KAMKHOZA NKHAMBULE

t/a CAK COMPUTERS..... APPLICANT

AND

**HARDWARE CENTRE.....1ST
DEFENDANT**

**THE ASSISTANT SHERIFF.....2ND
DEFENDANT**

**CORAM: HON. JUSTICE CHINANGWA, J
 L.N. Msisya, Court Interpreter/Operator**

RULING

On 23rd June 2008, I set down this matter to 26th June, 2008 at 9 a.m. I instructed the Civil Registry to invite the parties' lawyers. The reason I set down was to advise counsel for both parties to resolve the matter amongst themselves. Taking into account the amount of rent arrears in dispute and seized property. The applicant has more to lose.

Well, counsel did not appear but the Civil Registry also failed to bring the case file to my attention. The matter was then forgotten, until Mr. Milanzi from the Sheriff's office, Lilongwe

enquired the position of the pended ruling. That was on 24th September, 2008.

I have carefully examined the application together with submissions from both counsel. In the circumstances the application for an injunction not to dispose off seized property by auction fails.

Pronounced in Chambers on 2nd October, 2008 at Lilongwe.

R.R. Chinangwa
JUDGE