



**IN THE EAST AFRICAN COURT OF JUSTICE  
AT ARUSHA  
FIRST INSTANCE DIVISION**



(Coram: Monica K. Mugenyi, PJ; Isaac Lenaola, DPJ; Faustin Ntezilyayo, J;  
Fakihi A. Jundu, J & Audace Ngiye, J)

**APPLICATION NO.10 OF 2015**

(Arising from Reference No.1 of 2015)

**ATTORNEY GENERAL OF UGANDA..... APPLICANT**

**VERSUS**

**JOHNSON AKOL OMUNYOKOL ..... RESPONDENT**

**29<sup>TH</sup> JUNE, 2016**

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## RULING OF THE COURT

### INTRODUCTION

1. This Application arose from Reference No.1 of 2015 and has been brought under Rules 1(2), 45, 46, 47(1)(c), (2) and 48 of the East African Court of Justice Rules of Procedure, 2013 ("the Rules").
2. The Application is supported by an Affidavit deposed by one Bafirawala Elisha, a Senior State Attorney in the Applicant's Chambers.
3. At the hearing thereof, the Applicant was represented by Ms. Goretti Arinaitwe and Ms. Charity Nabaasa, both of whom are Attorneys in the Applicant's Chambers, while the Respondent was represented by Mr. Fitz Patrick Furah.

### APPLICANT'S CASE

4. The main thrust of the Applicant's Notice of Motion, Supporting Affidavit and Submissions is that the Respondent amended the above Reference out of time and without leave of this Court contrary to Rules 4, 46, 48, 49 and 50 of this Court's Rules.
5. The Applicant contended that the Respondent had filed his original Reference on 8<sup>th</sup> June, 2015 and notification of the same was served on the Applicant on 29<sup>th</sup> June, 2015. The Applicant filed a Response thereto on 7<sup>th</sup> August, 2015 and served the same on the Respondent on 17<sup>th</sup> August, 2015. In terms of Rule 45 of the Rules, the pleadings thus closed on 1<sup>st</sup> September, 2015.
6. The Applicant therefore seeks to have the Amended Reference struck out with costs.

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