

**THE REPUBLIC OF UGANDA**

**IN THE HIGH COURT OF UGANDA AT KAMPALA**

**(LAND DIVISION)**

**MISCELLANEOUS APPLICATION NO. 1307 OF 2019**

**(ARISING FROM CIVIL SUIT NO.510 OF 2015)**

**UGANDA CROP INDUSTRIES LIMITED:.....APPLICANT**

**VERSUS**

**KENSINGTON AFRICA LTD:.....RESPONDENT**

**Before: Lady Justice Alexandra Nkonge Rugadya.**

**RULING:**

This correction of an omission was initiated by way of letter written by counsel for the applicant. from the contents of that letter dated 31<sup>st</sup> August, 2021, the order extracted by counsel provides that interest of 0.5% shall be paid on any outstanding balance, calculated with effect from 1<sup>st</sup> January 2014, till judgement is delivered and 1% interest to be made from the date of judgement till payment.

The gist is that the order/decreed as stated by the applicant is unclear as to whether the quantum of interest accrues per month or per annum since the order extracted is silent on the same yet the applicant in its application prayed for interest per month.

**Consideration.**

**Section 99 of the Civil Procedure Act, Cap 71** empowers this court to correct any errors or omissions in a judgement, decree or order anytime, either on its own motion or on the application of any of the parties.

In the present case, a perusal of the ruling and orders of this court in respect of **Miscellaneous Application No.1307 of 2019** reveals that this court issued orders as to interest as pointed out above but did not specify when the same accrues.

Given the specific circumstances of that case which court had duly taken into account, this was clearly an omission on the side of court given the fact that the plaintiff had made clear their claim. The same can be rectified by this court as per **Section 99 (supra.)**

In the circumstances, the order in **Miscellaneous Application No.1307 of 2019**, in respect to the amount of interest to be paid is hereby corrected to read:

1. Interest of 0.5% per month shall be paid on any outstanding balance, calculated with effect from 1<sup>st</sup> January 2014, till judgement is delivered and 1% interest per month to be made from the date of judgement till payment in full.

5 I so order.

No orders made for costs.

.....  
Alexandra Nkonge Rugadya  
Judge

10 27<sup>th</sup> September 2021.

Delivered via email

Alexandra

G.

29/9/2021