

**THE REPUBLIC OF UGANDA
IN THE CONSTITUTIONAL COURT OF UGANDA AT KAMPALA**

CORAM: HON. LADY JUSTICE L. E. M. MUKASA-KIKONYOGO, DCJ;
HON. MR. JUSTICE S. G. ENGWAU, JA
HON. MR. JUSTICE A. TWINOMUJUNJI, JA
HON. LADY JUSTICE C. N. B. KITUMBA, JA
HON. LADY JUSTICE C.K. BYAMUGISHA, JA

CONSTITUTIONAL PETITION APPLICATION NO. 02 OF 2003

1. UGANDA LAW SOCIETY }
2. JACKSON KARUGABA }..... APPLICANT

VERSUS

THE ATTORNEY GENERAL..... RESPONDENT

(Arising out of Misc. Application No. 7 of 2003)
(Arising out of Constitutional Petition No. 8 & 2 of 2002)

Ruling of the Court

This application is filed under Rule 13 of **Legal Notice No. 4 of 1996 order 40 rule 2, 3 and 4** of the **Civil Procedure rules, S.101 of Civil Procedure Act and Rules 1 (3) and 40(1)** of the Supreme Court rules Directions, 1996.

It is brought by Uganda Law Society and Jackson Karugaba, hereinafter to be referred to as the 1st applicant and 2nd applicant respectively. It is seeking leave of this court to appeal against the ruling and orders of this court delivered on 31st March 2003 in Miscellaneous application No. 7 of 2003.

The applicants are also applying for stay of the hearing of constitutional petitions No. 8 and No. 2 of 2002 pending the determination of the intended appeal.

The application is supported by an affidavit sworn by the 2nd Applicant.

Although the Attorney General, the respondent, had no representation when the application was called for hearing, later he gave Mr. Karugaba a letter indicating that, he had no objection to the application.

10 Upon hearing the address by Mr. Phillip Karugaba, counsel for the applicants and on perusal of the relevant documentary evidence on record, we are satisfied that this is a proper application in which to grant the orders sought by the applicants.

In the result leave to appeal against the ruling of this court delivered in Miscellaneous Application No. 7 of 2003 is hereby granted.

Further the hearing of Constitutional Petitions No. 8 and No. 2 of 2002 is hereby stayed pending the determination of the intended appeal. No order is made as to costs.

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Dated at Kampala this 30th day of September 2003.


L. E. M. MUKASA-KIKONYOGO
DEPUTY CHIEF JUSTICE


S. G. ENGWAU
JUSTICE OF APPEAL

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A. TWINOMUJUNI
JUSTICE OF APPEAL


C. N. B. KITUMBA
JUSTICE OF APPEAL


C. K. BYAMUGISHA
JUSTICE OF APPEAL

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