



**THE SUPREME COURT OF THE KINGDOM OF
ESWATINI**

FIRST SESSION COURT ROLL - 2019
DRAFT

TO : Honourable Chief Justice

Honourable Justices of the Supreme Court

Honourable Justices of the High Court

Honourable Justices of the Industrial Court

Attorney General

The Director of Public Prosecutions

The Registrar of the High Court

The Registrar of the Industrial Court

The National Commissioner of Police

The Commissioner General of Correctional Services

The Law Society of ESwatini

Litigants In Person

CIVIL AND CRIMINAL CASES

MONDAY 11 FEBRUARY 2019

1. CIV/APP.29/18

THE ATTORNEY GENERAL

AND

HOWARD P. NKAMBULE

**ATTORNEY GENERAL
ASSOCIATES**

RODRIGUES AND

2. CIV/APP.87/18

SIHLE DLAMINI AND ANOTHER

AND

SELINAH ZWANE-SIMELANE AND OTHERS

**ROBINSON BERTRAM
ATTORNEYS.**

THWALA

TUESDAY 12 FEBRUARY 2019

3. CIV/APP.01/17

SWAZI AUCTIONEERS (PTY) LIMITED AND OTHERS

AND

SWAZILAND DEVELOPMENT AND SAVINGS BANK

L.R. MAMBA AND ASSOCIATES.

**MAGAGULA AND HLOPHE
ATTORNEYS**

4. CIV/APP.84/18

MATATA RETAIL (PTY) LIMITED

AND

VIVA BEVERAGES (PTY) LIMITED

**ROBINSON BETRAM
ATTORNEYS.**

WARING

WEDNESDAY 13 FEBRUARY 2019

5. CIV/APP.73/18

AFRICAN OXYGEN LIMITED

AND

TONY COSTER AND ANOTHER

HENWOOD AND COMPANY

**MUSA M SIBANDZE
ATTORNEYS**

6. CIV /APP. 90/18

JOYCE BHEKEPHI DLAMINI

AND

BONGANI PHINDA DLAMINI & OTHERS

B.S. DLAMINI & ASSOCIATES.

**TR MASEKO
ATTORNEYS.**

THURSDAY 14 FEBRUARY 2019

7. CIV/APP. 53/18

PHANGOTHI INVESTMENTS (PTY) LTD

AND

TAGA INVESTMENTS (PTY) LTD

SITHOLE & MAGAGULA ATTORNEYS

**HENWOOD &
COMPANY.**

8. CIV/APP. 56/18

UNIFOODS (PTY) LTD

AND

MARK DLAMINI AND OTHERS

B.S. DLAMINI AND ASSOCIATES.

**MALINGA AND
MALINGA
INCORPORATED**

MONDAY 18 FEBRUARY 2019

9. CIV/APP. 83/18

SWAZILAND REVENUE AUTHORITY & OTHERS

AND

PRESIDING JUDGES OF THE INDUSTRIAL COURT OF
APPEAL & OTHERS

ROBINSON BERTRAM

**SITHOLE & MAGAGULA
ATTORNEYS.
ATTORNEY GENERAL**

TUESDAY 19 FEBRUARY 2019

10. CIV/ APP. 39/18

BUYISILE MAVIMBELA & OTHERS

AND

HAPPY COLISILE MAVIMBELA

SITHOLE & MAGAGULA ATTORNEYS.

**ROBINSON
BERTRAM**

11.CIV/APP. 102/18

THE PUB & GRILL (PTY) LTD AND ANOTHER

AND

THE GABLES

MAGAGULA AND HLOPHE ATTORNEYS

**WARING
ATTORNEYS**

WEDNESDAY 20 FEBRUARY 2019

12.CRIM/APP. 22/18

DIRECTOR OF PUBLIC PROSECUTIONS

AND

SIPHO SHONGWE

DPP

S.S. MNISI ATTORNEY

THURSDAY 21 FEBRUARY 2019

13. CIV/APP. 50/18

DUPS HOLDINGS (PTY) LTD & OTHERS

AND

WALTER BENNET & OTHERS

NKOMONDZE ATTORNEYS.

**MAKHOSI C. VILAKATI
ATTORNEYS.**

14. CRIM/APP. 31/17

BANELE MAMBA

AND

REX

MABILA ATTORNEYS

DPP

MONDAY 4 MARCH 2019

15. CIV/APP. 25/18

SWAZILAND ELECTRICITY CO.

AND

GIDEON GWEBU

MAGAGULA AND HLOPHE ATTORNEYS

**MLANGENI &
COMPANY
ROBINSON
BERTRAM**

16. CIV/APP. 95/18

BHEKI ALEX KHUMALO

AND

BALENI INVESTMENTS (PTY) LTD

CJ LITTLER & COMPANY.

**MTM NDLOVU
ATTORNEYS.**

TUESDAY 5 MARCH 2019

17. CIV/APP. 28/18

HAMILTON S. DLAMINI

AND

EUNICE MBHAMALI & OTHERS

**BEN J. SIMELANE & ASSOCIATES. SP MAMBA
ATTORNEYS**

18. CIV/APP. 34/17

LIKIMA MNJOLI ROYAL KRAAL (INNER COUNCIL)

AND

MKHAMO ABRAHAM MAGAGULA & 5 OTHERS

**KUSH VILAKATI & ASSOCIATES. ATTORNEY GENERAL
IN PERSON**

WEDNESDAY 6 MARCH 2019

19. CIV/APP. 68/17

DOCTOR HLATJWAKO

AND

DOUGLAS LUSHABA AND OTHERS

N.E GININDZA ATTORNEYS.

IN PERSON

ATTORNEY GENERAL

20. CIV/APP. 71/18

INTER AGENCIES (PTY) LTD

AND

CORBAN ELECTRICAL AND ELECTRONICS (PTY) LTD AND
OTHERS.

**MANYATSI AND ASSOCIATES.
ATTORNEYS**

GIGI A. REID

THURSDAY 07 MARCH 2019

21. CIV/APP. 56/13

NICHOLAS MANANA AND OTHERS

AND

ACTING PRESIDENT OF THE INDUSTRIAL COURT AND
OTHERS

**M. HLOPHE AND ASSOCIATES.
BERTRAM**

ROBINSON

MONDAY 11 MARCH 2019

22. CIV/APP. 21/18

NGWANE MILLS (PTY) LTD

AND

SWAZILAND REVENUE AUTHORITY AND ANOTHER

**ROBINSON BERTRAM
ASSOCIATES.**

S.V. MDLADLA AND

23. CIV/APP.24/18

THANDIWE NKAMBULE

AND

MPHIKELELI MAMBA

**ZONKE MAGAGULA AND COMPANY L.R. MAMBA AND
ASSOCIATES**

TUESDAY 12 MARCH 2019

24. CIV/APP. 76/18

SANDRA KHUMALO AND OTHERS

AND

LOMDASHI LIMITED

**BHEMBE ATTORNEYS.
ATTORNEYS.**

MADZINANE

25. CIV/APP. 36/18

SWAZILAND DEVELOPMENT FINANCE
CORPORATION

AND

SIBONGILE CLARA NDLANGAMANDLA
T/A BAYANDZA PRE AND PRIMARY SCHOOL
AND ANOTHER

ROBINSON BERTRAM

IN PERSON

WEDNESDAY 13 MARCH 2019

26. CIV APP.41/18

THE QUADRO TRUST AND OTHERS

AND

PAUL MABUZA N.O.

**L.R. MAMBA AND ASSOCIATES.
ATTORNEYS.**

BHEMBE

27. CIV/APP. 72/17

SAGILA DLAMINI

AND

DIESEL SERVICES (PTY) LTD AND ANOTHER

V.Z. DLAMIN ATTORNEYS

FAKUDZE ATTORNEYS

THURSDAY 14 MARCH 2019

28. CIV/APP. 48/18

HUNTER SHONGWE

AND

PRISCILLA DLAMINI AND OTHERS

ROBINSON BERTRAM

**MAGAGULA AND HLOPHE
ATTORNEYS.**

29. CIV/APP. 97/16

JACOB C. YENDE

AND

NGONINI ESTATE (A DIVISION OF UNITED PLANTATIONS)

SWAZILAND LIMITED

MLK NDLANGAMANDLA ATTORNEYS

**HENWOOD AND
COMPANY**

MONDAY 18 MARCH 2019

30. CIV/APP. 68/18

FOOT THE BILL INVESTMENTS (PTY) LTD

AND

XOLILE GAMA AND OTHERS

HENWOOD AND COMPANY.

MABILA ATTORNEYS

31. CIV/APP. 91/18

MONGI JELE AND 20 OTHERS

AND

CHIEF NKAMANE MKHATSHWA AND ANOTHER

L.R MAMBA AND ASSOCIATES

ATTORNEY GENERAL

TUESDAY/WEDNESDAY 19/20 MARCH 2019

32. CIV/APP. 73/16

THE PRIME MINISTER OF ESWATINI AND OTHERS

AND

THULANI MASEKO AND OTHERS

ATTORNEY GENERAL
MONDAY 01 APRIL 2019

T.R MASEKO ATTORNEYS

33. CIV APP. 18/18

SWAZILAND PERISHABLE FOODS (PTY) LTD
T/A FOOD LOVERS MARKET AND OTHERS

AND

SWAZILAND DEVELOPMNET FINANCE CORPORATION

HOWE MASUKU NSIBANDE ATTORNEYS.

**ROBINSON
BERTRAM**

34. CIV APP. 69/18

THANDI MOTSA AND 4 OTHERS

AND

RICHARD KHANYILE

NZIMA AND ASSOCIATES.

ROBINSON BERTRAM

TUESDAY 02 APRIL 2019

35. CIV/APP. 28/17

ATTORNEY GENERAL

AND

SIFISO SIBANDZE

ATTORNEY GENERAL

**MLK NDLANGAMANDLA
ATTORNEYS.**

WEDNESDAY 03 APRIL 2019

36. CIV/APP. 65/18

CYNTHIA MPHONGA DLAMINI (BORN SIMELANE)

AND

CLEOPAS SIPHO DLAMINI

SIMELANE MTSHALI ATTORNEYS

**L. R. MAMBA AND
ASSOCIATES.**

37. CIV/APP. 63/18

BOKIES CONSTRUCTION AND CIVIL (PTY) LTD
AND OTHERS

AND

NEDBANK SWAZILAND

MAGAGULA ATTORNEYS. S.V. MDLADLA AND ASSOCIATES.

THURSDAY 04 APRIL 2019

38. CIV APP. 96/17

MINISTER OF TOURISM AND ENVIRONMENTAL AFFAIRS
AND ANOTHER

AND

STEVEN ZUKE AND ANOTHER

ROBINSON BETRAM

ATTORNEY GENERAL

MONDAY 08 APRIL 2019

39. CIV/APP. 69/17

SWAZILAND NATIONAL HOUSING BOARD

AND

THANDEKA DLAMINI

**HOWE MASUKU NSIBANDE ATTORNEYS
NDLOVU**

MTM

ATTORNEYS

TUESDAY 09 APRIL 2019

40. CRIM/APP. 20/14

DUMSANI TREVOR DLAMINI

AND

REX

S.B. MOTSA ATTORNEYS

DPP

WEDNESDAY 10 APRIL 2019

41. CIV APP.42/18

ALAN ALEXANDER MCGREGOR

AND

ROBERT CRABTREE AND OTHERS

MAGAGULA AND HLOPHE ATTORNEYS.

**MAKHOSI C.
VILAKATI
ATTORNEYS**

42. CRIM/APP. 07/16

BOY MCHUMANISI MKHATSHWA

AND

REX

S.B. MOTSA ATTORNEYS

DPP

THURSDAY 11 APRIL 2019

43. CIV/APP. 106/17

MANGALISO DLAMINI

AND

SIKHATSI DLAMINI N. O.

BHEMBE ATTORNEYS.

IN PERSON

44. CRIM/APP. 22/17

DIRECTOR OF PUBLIC PROSECUTIONS

AND

STANLEY NHLAKALUFU AND OTHERS

BEN J. SIMELANE AND ASSOCIATES

DPP

MONDAY 15 APRIL 2019

45. CIV/APP. 57/18

FRANCISCA THANDEKA SHAYO

AND

LINAH THEMBI MBHAMALI N. O AND OTHERS

ROBINSON BERTRAM

**S.M. KHOZA ATTORNEYS.
ATTORNEY GENERAL**

46. CIV/APP. 58/16

MICHEAL MASOTJA SHONGWE

AND

HENRY SIBUSISO SHONGWE N.O.

C.J. LITTLER AND COMPANY

BHEMBE ATTORNEYS

TUESDAY 16 APRIL 2019

47. CIV/APP. 79/17

RUBBERTECH SWAZILAND (PTY) LTD

AND

SWAZILAND NATIONAL PROVIDENT FUND BOARD

MUSA M. SIBANDZE ATTORNEYS.

**WARING
ATTORNEYS.**

WEDNESDAY 17 APRIL 2019

48. CIV/APP. 13/18

THE SWAZI OBSERVER NEWSPAPER AND OTHERS

AND

DR JOHANNES FUTHI DLAMINI

MAGAGULA AND HLOPHE ATTORNEYS.

**ROBINSON
BERTRAM**

THURSDAY 18 APRIL 2019

49. CIV/APP. 37/18

MUSA GOODMAN DLAMINI

AND

NOMPHUMELELO DLAMINI (BORN NXUMALO)

ZONKE MAGAGULA AND COMPANY

**KHUMALO
NGCAMPHALALA
ATTORNEYS**

50. CIV/APP. 08/16

SIMANGA GINA

AND

CLEMENT SIMELANE

S.V. MDLADLA AND ASSOCIATES

**SITHOLE MAGAGULA
ATTORNEYS**

MONDAY 06 MAY 2019

51. CIV/ APP. 80/17

THE CHAIRMAN, LIQUOR LICENSING BOARD

AND

THULANI MASEKO

ATTORNEY GENERAL T.R. MASEKO ATTORNEYS

52. CIV/APP. 67/17&70/18 CONSOLIDATED

BARAKA INVESTMENTS (PTY) LTD

AND

DARYALI INVESTMENTS (PTY) LTD /

MKHULULI DLAMINI

AND

DARYALI INVESTMENTS (PTY) LTD AND OTHERS

NKOMONDZE ATTORNEYS.

**S.V. MDLADLA AND
ASSOCIA**

WEDNESDAY 07 MAY 2019

53. CIV/APP. 14/18

RECON TRANSPORTATION SOLUTIONS (PTY) LTD

AND

SWAZISPA HOLDINGS LIMITED

**SIMELANE MTSHALI ATTORNEYS. HENWOOD AND
COMPANY.**

54. CIV/APP. 40/18

GIDEON M. DLAMINI

AND

THE MINISTER OF FINANCE AND OTHERS

MTM NDLOVU ATTORNEYS ATTORNEY GENERAL

THURSDAY 08 MAY 2019

55. CIV/APP. 86/18

TUNTEX TEXTILE (PTY) LTD AND ANOTHER

AND

ESWATINI GOVERNMENT AND ANOTHER

**HOWE MASUKU NSIBANDE ATTORNEYS. ATTORNEY
GENERAL**

56. CIV/APP. 54/18

PETER GEORGE AND ANOTHER

AND

MBUSO E. SIMELANE N.O

HENWOOD AND COMPANY

**MBUSO E. SIMELANE
ATTORNEYS.**

THURSDAY 09 MAY 2019

57. CRIM/APP. 15/17

NKOSIVILE GOODWILL LUSHABA

AND

REX

MABILA ATTORNEYS.

DPP

58. CRIM/APP. 23/17

BONGANI BAVUKILE DLAMINI

AND

REX

IN PERSON

DPP

MONDAY 13 MAY 2019

59. CRIM/APP.13/16

THE COMMISSIONER OF THE ANTI-CORRUPTION
COMMISSION

AND

GIDEON DLAMINI AND OTHERS

**DPP
ATTORNEYS**

MTM NDLOVU

60. CRIM/APP. 16/18

VIKA VELABO DLAMINI

AND

REX

BHEMBE ATTORNEYS

DPP

TUESDAY 14 MAY 2019

61. CIV/APP. 78/13

SIMON VILANE N. O

AND

LIPNEY INVESTMENTS (PTY) LTD AND OTHERS

**ROBINSON BERTRAM
ATTORNEYS**

M.E. SIMELANE

WEDNESDAY 15 MAY 2019

62. CIV/APP.100/17

THE WEEKEND OBSERVER (PTY) LTD

AND

SIPHO MAKHABANE

**MAGAGULA HLOPHE ATTORNEYS
BERTRAM**

ROBINSON

THURSDAY 16 MAY 2019

63. CIV/APP. 65/16

SANDILE THWALA N.O. AND OTHERS

AND

MESHACK DLAMINI

**HOWE MASUKU NSIBANDE ATTORNEYS MAGAGULA AND
HLOPHE ATTORNEYS**

MONDAY 20 MAY 2019

64. CIV/APP.72/18

GOVERNMENT OF SWAZILAND

AND

LUCKY MHLANGA AND TWO OTHERS

ATTORNEY GENERAL

**XABA ATTORNEYS
ROBINSON BERTRAM
MKHWANAZI ATTORNEYS**

**TUESDAY 21ST MAY - FRIDAY 31ST MAY, 2019: WRITING AND
DELIVERING JUDGMENTS.**


BANELE NGCAMPHALALA
ACTING SUPREME COURT REGISTRAR

