



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

**FIRST SESSION COURT ROLL - 2019**  
**FINAL**

**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- APPEAL**

THE ATTORNEY GENERAL

AND

HOWARD P. NKAMBULE

**ATTORNEY GENERAL  
ASSOCIATES**

**RODRIGUES AND**

**2. CIV/APP. 96/18- APPEAL**

FLOYD MKHATSHWA AND ANOTHER

AND

CHAIRMAN ELECTION AND BOUNDARIES COMMISSION  
AND TWO OTHERS

**DLAMINI KUNENE ASSOCIATED  
AND**

**PILISO SIMELANE  
PARTNERS**

.

**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 ATTORNYES.**

**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  
ATTORNEY GENERAL**

**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**

MINSTER 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. 58/16**

MICHEAL MASOTJA SHONGWE

AND

HENRY SIBUSISO SHONGWE N.O.

**C.J. LITTLER AND COMPANY**

**BHEMBE ATTORNEYS**

**TUESDAY 16 APRIL 2019**

**46. CIV/APP. 79/17**

RUBBERTECH SWAZILAND (PTY) LTD

AND

SWAZILAND NATIONAL PROVIDENT FUND BOARD

**MUSA M. SIBANDZE ATTORNEYS.**

**WARING  
ATTORNEYS.**

**47. CRIM/APP. 20/18**

MZWANDILE KHETHABAKHE SIYAYA

AND

REX

**DLAMINI KUNENE ASSOCIATED**

**DPP**

**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  
ASSOCIATES**

**TUESDAY 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**

**WEDNESDAY 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 21 MAY 2019**

**65. CIV/APP.87/18- APPEAL**

SIHLE DLAMINI AND ANOTHER

AND

SELINAH ZWANE-SIMELANE AND OTHERS

**ROBINSON BERTRAM**

**THWALA ATTORNEYS**

**66. CIV/APP. 34/18- APPEAL**

CHIEF BENJAMIN AGHALIEAKU AND TWO OTHERS

AND

ANTI-CORRUPTION COMMISSION AND ANOTHER

**ZONKE MAGAGULA AND COMPANY**

**DPP**

**WEDNESDAY 22 MAY 2019**

**67. CIV/APP. 57/18- APPEAL**

FRANCISCA THANDEKA SHAYO

AND

LINAH THEMBI MBHAMALI N.O AND OTHERS

**ROBINSON BERTRAM**

**S.M. KHOZA ATTORNEYS**

**ATTORNEY GENERAL**

**68. CIV/APP. 85/18**

ELLEN MAGAGULA

AND

THEMBA MAGAGULA AND OTHERS

**SIMELANE MTSHALI ATTORNEYS  
ATTORNEYS**

**WARING**



**BANELE NGCAMPHALALA**  
**ACTING SUPREME COURT REGISTRAR**

