



# **THE SUPREME COURT OF ESWATINI**

## **FIRST SESSION COURT ROLL 2020**

### **FINAL**

**TO: Honourable Chief Justice  
Honourable Justices of Appeal  
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 the Kingdom of Eswatini  
Litigants in Person**

### **NOTICE**

- 1. ALL MATTERS WILL BE HEARD IN COURT A AND ATTORNEYS ARE ADVISED TO ATTEND COURT TIMEOULY.**

**2. ATTORNEYS ARE FURTHER ADVISED TO COMPLY STRICTLY WITH THE RULES OF COURT IN RESPECT OF THE RECORDS OF PROCEEDINGS, THE FILING OF HEADS OF ARGUMENT AND THE BUNDLE OF AUTHORITIES**

# **CIVIL AND CRIMINAL CASES**

**MONDAY 17 FEBRUARY 2020**

**1. CRIM/APP. 9/19 – APPEAL**

ALEX POUND LANGA  
AND  
REX

**LINDA DLAMINI & ASSOCIATES**

**DPP’S CHAMBERS**

**2. CIVIL/APP.85/19- APPEAL**

XOLILE NTOMBIKAYISE SHABANGU- ZWANE  
AND  
PITOLI SHABANGU & 8 OTHERS

**MOTSA MAVUSO ATTORNEYS    HLABANGANA &  
ASSOCIATES**

**TUESDAY 18 FEBRUARY 2020**

**3. CRIM/APP. 8/19 – APPEAL**

NDUMISO GAGASHI SIMELANE & ANOTHER  
AND  
REX

**MABILA ATTORNEYS**

**DPP's CHAMBERS**

**WEDNESDAY 19 FEBRUARY 2020**

**4. CRIM/APP. 7/19 – APPEAL**

MONDLI MKOKO  
AND  
REX

**MLK NDLANGAMANDLA ATTORNEYS**

**DPP's CHAMBERS**

**THURSDAY 20 FEBRUARY 2020**

**5. CRIM/APP. 12/19 - APPEAL**

MXOLISI WANDILE MAHLALELA  
AND  
REX

**MABILA ATTORNEYS**

**DPP's CHAMBERS**

**MONDAY 2 MARCH 2020**

**6. CIV/APP. 53/17 – REVIEW**

EKUHLAMKENI FARMERS ASSOCIATION  
AND  
SIPHO DLAMINI

**ZONKE MAGAGULA & CO.**

**LUCAS B. K. DLAMINI  
ATTORNEYS**

**TUESDAY 3 MARCH 2020**

**7. CRIM/APP. 23/17 - APPEAL**

BONGANI BAVUKILE DLAMINI

AND

REX

**XABA ATTORNEYS**

**DPP's CHAMBERS**

**WEDNESDAY 4 MARCH 2020**

**8. CIV/APP. 49/19 – APPEAL**

SISANA FAKUDZE & 2 OTHERS

AND

TIKANE INVESTMENT (PTY) LTD

**M.H. MDLULI ATTORNEYS**

**KHUMALO NGCAMPHALALA**

**THURSDAY 5 MARCH 2020**

**9. CIV/APP.31/19 – APPEAL**

SWAZILAND COMPETITION COMMISSION  
AND  
SWAZI MTN LTD

**C.J. LITTLER & COMPANY**

**MAGAGULA AND HLOPHE  
ATTORNEYS**

**MONDAY 9 MARCH 2020**

**10. CIV/APP. 64/19- APPEAL**

JM BUSHA CAPITAL SWAZILAND  
AND  
FINANCIAL SERVICES REGULATION AUTHORITY

**S.V. MDLADLA & ASSOCIATES**

**ROBINSON BERTRAM**

**TUESDAY 10 MARCH 2020**

**11. CIV/APP. 47/19 – APPEAL**

SIBONGISENI KHUMALO

AND

COMMISSIONER OF POLICE & ANOTHER

**BEN J. SIMELANE & ASSOCIATES    ATTORNEY GENERAL**

**WEDNESDAY 11 MARCH 2020**

**12. CIV/APP. 78/13 – REVIEW**

SIMON VILANE & ANOTHER

AND

LIPNEY INVESTMENTS (PTY) LTD & 6 OTHERS

**ROBINSON BERTRAM**

**C. J. LITTLER AND  
ASSOCIATES**



**THURSDAY 12 MARCH 2020**

**13. CIV/APP. 02/20 – APPEAL**

CHIEF ZWIDE NXUMALO & ANOTHER  
AND  
BERNARD NXUMALO & 2 OTHERS

**ATTORNEY GENERAL**

**HENWOOD & COMPANY**

**MONDAY 16 MARCH 2020**

**14. CIV/APP. 41/19 – APPEAL**

MBABANE KOMBI AND MID BUS ASSOCIATION  
AND  
JABULANI MBUSO GULWAKO

**S. M. JELE ATTORNEYS**

**M. H. MDLULI ATTORNEYS**

**TUESDAY 17 MARCH 2020**

**15. CIV/APP. 17/19 – LEAVE TO APPEAL**

BROOKLYN INVESTMENT (PTY) LTD

AND

BONGANI BHEMBE

**MLK NDLANGAMANDLA ATTORNEYS      MANYATSI AND  
ASSOCIATES**

**WEDNESDAY 18 MARCH 2020**

**16. CIV/APP. 35/19 – APPEAL**

JABULANI MANANA

AND

SWAZILAND BUILDING SOCIETY

**L.R. MAMBA & ASSOCIATES**

**ROBINSON BERTRAM**

**THURSDAY 19 MARCH 2020**

**17. CIV/APP. 51/19 – APPEAL**

SUKATI DUDU TAKHONA  
AND  
MING-CHANG GHIU

**S.V. MDLADLA & ASS**

**WARING ATTORNEYS**

**MONDAY 23 MARCH 2020**

**18. CIV/APP. 43/19 – APPEAL**

GCEBILE MABUZA  
AND  
REGISTRAR OF INSURANCE AND RETIREMENT FUND

**MUSA M. SIBANDZE ATTORNEYS**

**MKHWANAZI  
ATTORNEYS**

**TUESDAY 24 MARCH 2020**

**19. CIV/APP. 65/19 – APPEAL**

FIDELITY SECURITY SERVICES (PTY) LTD  
AND  
VICTOR MATSENJWA & ANOTHER

**MAGAGULA & HLOPHE ATT.      ROBINSON BERTRAM**

**WEDNESDAY 25 MARCH 2020**

**20. CIV/APP. 62/19 – LEAVE TO APPEAL**

JOHAN JACOB RUDOLPH & ANOTHER  
AND  
KANHYM ESTATES (PTY) LTD & 2 OTHERS

**CURRIE-WRIGHT ASS.**

**ROBINSON BERTRAM**

**THURSDAY 26 MARCH 2020**

**21. CIV/APP. 56/19 – APPEAL**

DR BUTARE RUKUNDO & ANOTHER  
AND  
NANDI BUSISIWE FUPHE N.O. & 2 OTHERS

**HENWOOD & COMPANY**

**MAGAGULA & HLOPHE  
ATTORNEYS**

**MONDAY 06 APRIL 2020**

**22. CIV/APP. 60/19 – APPEAL**

THANDI L. DLAMINI  
AND  
REGINA T. DLAMINI & 4 OTHERS

**ROBINSON BERTRAM  
ATTORNEY GENERAL**

**BS DLAMINI & ASSOCIATES**

**TUESDAY 07 APRIL 2020**

**23. CIV/APP. 73/19 – APPEAL**

SIYEMBILI MOTORS SWAZILAND (PTY) LTD  
AND  
SWAZILAND COMPETITION COMMISSION

**HENWOOD AND CO.**

**SIMELANE MTSHALI  
ATTORNEYS**

**WEDNESDAY 08 APRIL 2020**

**24. CIV/APP. 61/19 – APPEAL**

TEACHING SERVICE COMMISSION  
AND  
TIMOTHY TSABEDZE

**ATTORNEY GENERAL**

**MAGAGULA & HLOPHE  
ATTORNEYS**

**THURSDAY 09 APRIL 2020**

**25. CIV/APP. 3/19 – REINSTATEMENT**

SIKHATSI DLAMINI

AND

THE MAYOR – MBABANE AND 9 OTHERS

**ROBINSON BERTRAM**

**T.R. MASEKO ATTORNEYS**

**TUESDAY 14 APRIL 2020**

**26. CIV/APP. 97/16 – REINSTATEMENT**

JACOB YENDE

AND

NGONINI ESTATE (A DIVISION OF UNITED  
PLANTATIONS) SWAZILAND LIMITED

**MLK NDLANGAMANDLA ATTORNEYS**

**HENWOOD &  
COMPANY**

**WEDNESDAY 15 APRIL 2020**

**27. CIV/APP. 70/19 – LEAVE TO APPEAL**

SAMKELISIWE DLAMINI  
AND  
SIKHUMBUZO DLAMINI

**MAGAGULA & HLOPHE ATTORNEYS**

**BS DLAMINI  
& ASSOCIATES**

**THURSDAY 16 APRIL 2020**

**28. CIV/APP. 37/19 – LEAVE TO APPEAL**

LOBUSUKU MASUKU & OTHERS  
AND  
NELISIWE ZANELE DE SOUSA & OTHERS

**KHUMALO ATTORNEYS**

**HLABANGANE & ASSOCIATES  
ATTORNEY GENERAL  
ROBINSON BERTRAM  
S V MDLADLA & ASSOCIATES**



**MONDAY 20 APRIL 2020**

**29. CIV/APP. 63/15 – REINSTATEMENT**

THE CHAIRPERSON OF KWALUSENI COUNCIL N.O.  
AND  
MUSA MOSES ZWANE & ANOTHER

**ATTORNEY GENERAL**

**NZIMA & ASSOCIATES**

**TUESDAY 21 APRIL 2020**

**30. CIV/APP. 6/18 – REINSTATEMENT**

LOWVELD TRUCKING (PTY) LTD  
AND  
SWAZILAND RAILWAY

**MABILA ATTORNEYS**

**ROBINSON BERTRAM**

**WEDNESDAY 22 APRIL 2020**

**31. CIV/APP.80/17 – REINSTATEMENT**

THE CHAIRPERSON OF THE LIQUOR  
LICENSING BOARD & ANOTHER  
AND  
THULANI RUDOLPH MASEKO

**ATTORNEY GENERAL**

**T. R MASEKO ATTORNEYS**

**THURSDAY 23 APRIL 2020**

**32. CIV/APP. 50/19 - ABANDONMENT**

PHETSILE NDZABANDZABA  
AND  
GABRIEL GODINHO & 2 OTHERS

**S. M. JELE ATTORNEYS**

**T. M. BHEMBE ATTORNEYS**

**MONDAY 04 MAY 2020**

**33. CIV/APP. 18/19 - APPEAL**

MOSES SHONGWE

AND

MESHACK DLAMINI

**T.L DLAMINI & ASSOCIATES**

**ATTORNEY GENERAL**

**TUESDAY 05 MAY 2020**

**34. CIV/APP. 69/19 – EXTENSION OF TIME**

PHINDUVUKE BUS SERVICE

AND

SIFISO MAMBA

**ZONKE MAGAGULA & CO**

**S. M JELE ATTORNEYS**

**WEDNESDAY 6 MAY 2020**

**35. CIV/APP. 84/19 – APPEAL**

SWAZILAND REFORMED CHURCH, HHOHHO

AND

BHEKI MABENA

**NTSHANGASE ATTORNEYS**

**ROBINSON BERTRAM**

**THURSDAY 07 MAY 2020**

**36. CIV/APP. 28/17 – REINSTATEMENT**

ATTORNEY GENERAL

AND

SIFISO SIBANDZE

**ATTORNEY GENERAL**

**MLK NDLANGAMANDLA  
ATTORNEYS**

**37. CIV/APP. 65/16 – APPEAL**

SANDILE THWALA N.O & OTHERS

AND

MESHACK DLAMINI

**HOWE MASUKU NSIBANDE ATTORNEYS**

**ATTORNEY GENERAL**

**DUNSEITH ATTORNEYS**

**ROBINSON BERTRAM ATTORNEYS**

**MAGAGULA**

**& HLOPHE**

**ATTORNEYS**

**MONDAY 11 MAY 2020**

**38. CIV/APP. 6/19 – APPEAL**

SIKHUMBUZO DLAMINI

AND

SAMUKELISIWE DLAMINI & 2 OTHERS

**B.S. DLAMINI AND ASSOCIATES**

**MAGAGULA &**

**HLOPHE ATTORNEYS**

**TUESDAY 12 MAY 2020**

**39. CIV/APP. 22/19 – APPEAL**

FLETCHER ELECTRICAL (PTY) LTD  
AND  
ELIAS MABUZA & 2 OTHERS

**M.H. MDLULI ATTORNEYS**

**SIMELANE MTSHALI  
ATTORNEYS**

**WEDNESDAY 13 MAY 2020**

**40. CIV/APP. 13/18 - REINSTATEMENT/ COUNTER-APPEAL**

THE SWAZI OBSERVER NEWSPAPER (PTY) LTD  
t/a OBSERVER ON SATURDAY & TWO OTHERS  
AND  
DR. JOHANNES FUTHI DLAMINI

**MAGAGULA & HLOPHE ATTORNEYS**

**ROBINSON  
BERTRAM**

**THURSDAY 14 MAY 2020**

**41. CRIM/APP. 19/18 – APPEAL**

CHARLES JELE  
AND  
REX

**ROBINSON BERTRAM**

**DPP’S CHAMBERS**

**MONDAY 18 MAY 2020**

**42. CRIM/APP. 22/18 – APPEAL**

THOKOZILE LINDIWE VILAKATI  
AND  
REX

**ROBINSON BERTRAM**

**DPP’S CHAMBERS**

**TUESDAY 19 MAY 2020**

**43. CRIM/APP. 36/14 – REVIEW**

MFANASIBILI C DLAMINI

AND

REX

**S A NKOSI ATTORNEY**

**DPP’S CHAMBERS**

**44. CIV/APP.25/19- APPEAL**

THE WOMAN AND CHILDREN’S HOSPITAL & ANOTHER

AND

THERESA-MARIE EARNSHAW ZEEMAN

**L.R MAMBA & ASSOCIATES**

**RODRIGUES AND**

**ASSOCIATES**



**WEDNESDAY 20 MAY 2020**

**45. CRIM/APP. 20/17 – REVIEW**

MUZI BONGANI SIKHONDZE

AND

REX

**LINDA DLAMINI & ASSOCIATES**

**DPP’S CHAMBERS**

**THURSDAY 21 MAY 2020**

**46. CIV/APP. 36/16 – REVIEW**

SWAZILAND ELECTRICITY COMPANY

AND

GIDEON GWEBU & ANOTHER

**MAGAGULA & HLOPHE ATTORNEYS**

**MLANGENI &**

**COMPANY**

**ROBINSON**

**BERTRAM**

**MONDAY 25 MAY 2020**

**47. CIV/APP. 53/19 – REVIEW**

TUNTEX TEXTILE (PTY) LTD & ANOTHER  
AND  
ESWATINI GOVERNMENT & ANOTHER

**HOWE MASUKU NSIBANDE ATT.      ATTORNEY GENERAL**

**TUESDAY 26 MAY 2020**

**48. CIV/APP. 54/19 – REVIEW**

TONY COSTER & ANOTHER  
AND  
AFRICAN OXYGEN LIMITED

**MUSA M. SIBANDZE ATTORNEYS**

**HENWOOD &  
COMPANY**

**WEDNESDAY 27 MAY 2020**

**49. CIV/ APP. 40/19 – APPEAL**

FLORENCE SIBONGILE BHEMBE

AND

MINAH SIMELANE

**PROFESSOR M. DLAMINI  
ATTORNEYS**

**ELVIS M. MAZIYA**

**THURSDAY 28 MAY 2020**

**50. CIV / APP. 66/ 19 – LEAVE TO APPEAL**

KUKHANYA (PTY) LTD t/a KUKHANYA CIVIL

ENGINEERING CONTRACTORS

AND

ABACUS CONSTRUCTION COST CONSULTANT

**ROBINSON BERTRAM**

**S. V. MDLADLA &  
ASSOCIATES**

**MONDAY 01 JUNE 2020**

**51. CIV / APP. 35/ 17 – REINSTATEMENT**

UNION SUPPLIES (PTY) LTD

AND

PHANGOTHI INVESTMENT (PTY) LTD

**L.R. MAMBA & ASSOCIATES**

**TUESDAY 02<sup>ND</sup> JUNE 2020**

**52. CRIM / APP. 04/19 – APPEAL**

SANDILE MKHWANAZI

AND

REX

**SB MOTSA ATTORNEYS**

**DPP's CHAMBERS**

**WEDNESDAY 03<sup>RD</sup> JUNE 2020**

**53. CIV APP. 58/19 - REVIEW**

TSWELOKGOTSO HEALTH (PTY) LTD

AND

RIVI (PTY) LTD & FOUR OTHERS

**MUSA M SIBANDZE ATTORNEYS**

**WARING ATTORNEYS**

**THURSDAY 04<sup>TH</sup> JUNE 2020**

**54. CIV/APP. 07/18 - REVIEW**

THE SWAZI OBSERVER (PTY) LTD t/a

OBSERVER ON SATURDAY & 2 OTHERS

AND

ALPHEOUS NXUMALO

**MTM NDLOVU ATTORNEYS**

**MAGAGULA & HLOPHE  
ATTORNEYS**

**FRIDAY 05<sup>TH</sup> JUNE 2020**

**55. CIV/APP. 18/18 - REVIEW**

SWAZILAND PERISHABLE FOODS (PTY) LTD  
t/a FOOD LOVERS MARKET & 3 OTHERS  
AND  
SWAZILAND DEVELOPMENT FINANCE CORPORATION

**MAGAGULA & HLOPHE ATTORNEYS**

**ROBINSON  
BERTRAM**



  
**REGISTRAR – SUPREME COURT**