



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

### **SECOND 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 the Kingdom of ESwatini  
Litigants in Person

#### **NOTICE**

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

**CRIMINAL AND CIVIL CASES**

**MONDAY 15 JULY 2019**

**1. CIV/APP. 102/17**

IMVUSELELO INVESTMENTS (PTY) LTD

AND

USUTHU FOREST PRODUCTS LIMITED

**MUSA M. SIBANDZE ATTORNEYS**

**HENWOOD AND  
COMPANY**

**TUESDAY 16 JULY 2019**

**2. CIV/ APP. 19/19**

REGIONAL EDUCATION OFFICER FOR HHOHHO REGION  
& ANOTHER

AND

MESHACK MAKHUBU & ANOTHER

**ATTORNEY GENERAL LINDA DLAMINI & ASSOCIATES**

**WEDNESDAY 17 JULY 2019**

**3. CIV/APP. 68/18**

XOLILE GAMA

AND

FOOT THE BILL INVESTMENTS (PTY) LTD

**LINDA DLAMINI AND ASSOCIATES**

**HENWOOD AND  
COMPANY**

**THURSDAY 18 JULY 2019**

**4. CRIM/APP. 20/18**

MZWANDILE KHETHABAKHE SIYAYA

AND

REX

**DLAMINI-KUNENE ASSOCIATED**

**DPP's CHAMBERS**

**TUESDAY 23 JULY 2019**

**5. CIV/APP. 100/17**

THE WEEKEND OBSERVER AND TWO OTHERS

AND

SIPHO MAKHABANE

**MAGAGULA AND HLOPHE ATTORNEYS**

**ROBINSON  
BERTRAM**

**WEDNESDAY 24 JULY 2019**

**6. CRIM/APP. 23/17**

BONGANI BAVUKILE DLAMINI

AND

REX

**XABA ATTORNEYS**

**DPP's CHAMBERS**

**THURSDAY 25 JULY 2019**

**7. CIV/APP. 53/17**

EKUHLAMUKENI FARMERS ASSOCIATION LIMITED

AND

SIPHU DLAMINI

**ZONKE MAGAGULA AND COMPANY            LUCAS BKS  
DLAMINI ATTORNEY**

**MONDAY 5 AUGUST 2019**

**8. CRIM/APP. 01/19**

VUSANI MANQOBA MHLANGA

AND

REX

**MABILA ATTORNEYS**

**DPP's CHAMBERS**

**TUESDAY 6 AUGUST 2019**

**9. CIV/APP. 02/19**

VICTOR TESAR

AND

ANITA TESAR

**GIGI A REID ATTORNEYS**

**CURRIE-WRIGHT  
ATTORNEYS**

**WEDNESDAY 7 AUGUST 2019**

**10. CIV/APP. 10/18**

PIUS HENWOOD N.O

AND

EFFIE SONIA HENWOOD N.O AND ANOTHER

**HOWE MASUKU NSIBANDE  
ATTORNEYS**

**SIBUSISO B.  
SHONGWE AND  
ASSOCIATES**

**THURSDAY 8 AUGUST 2019**

**11. CRIM/APP. 19/18**

CHARLES JELE

AND

REX

**ROBINSON BERTRAM**

**DPP's CHAMBERS**

**MONDAY 12 AUGUST 2019**

**12. CRIM/APP. 07/16**

BOY MCHUMANISI MKHATSHWA

AND

REX

**S. B. MOTSA ATTORNEYS**

**DPP's CHAMBERS**





**THURSDAY 15 AUGUST 2019**

**15. CRIM/APP. 36/14**

MFANASIBILI C. DLAMINI

AND

REX

**S. A. NKOSI ATTORNEYS**

**DPP's CHAMBERS**

**MONDAY 19 AUGUST 2019**

**16. CRIM/APP. 06/18**

DOCTOR VICTOR MKHABELA

AND

REX

**IN PERSON**

**DPP's CHAMBERS**

**TUESDAY 20 AUGUST 2019**

**17. CRIM/APP. 15/17**

NKOSIVILE LUSHABA

AND

REX

**T. M. BHEMBE ATTORNEYS**

**DPP's CHAMBERS**

**WEDNESDAY 21 AUGUST 2019**

**18. CRIM/APP. 31/17**

BANELE MAMBA

AND

REX

**LINDA DLAMINI AND ASSOCIATES**

**DPP's  
CHAMBERS**

**THURSDAY 22 AUGUST 2019**

**19. CRIM/APP. 12/17**

MACHAWE NKOSINATHI DLAMINI

AND

REX

**LINDA DLAMINI AND ASSOCIATES**

**DPP's  
CHAMBERS**

**MONDAY 9 SEPTEMBER 2019**

**20. CRIM/APP. 03/19**

DUMSANI MAXWELL KUNENE

AND

REX

**MLK NDLANGAMANDLA ATTORNEYS**

**DPP's  
CHAMBERS**

**TUESDAY 10 SEPTEMBER 2019**

**21. CIV/APP. 16/19**

ZINHLE MASEKO MDLULI

AND

ALDONA LAPIDOS AND 2 OTHERS

**CJ LITTLER & CO.**

**MAGAGULA & HLOPHE  
ATTORNEYS**

**WEDNESDAY 11 SEPTEMBER 2019**

**22. CRIM/APP. 07/16**

JOHANNES MFANUKHONA DLAMINI

AND

REX

**LINDA DLAMINI AND ASSOCIATES      DPP's CHAMBERS**

**THURSDAY 12 SEPTEMBER 2019**

**23. CIV/APP. 03/19**

SIKHATSI DLAMINI

AND

THE MAYOR - MBABANE MUNICIPAL COUNCIL OF  
MBABANE & OTHERS

**MBUSO E. SIMELANE & ASSOCIATES**

**ROBINSON  
BERTRAM**

**MONDAY 16 SEPTEMBER 2019**

**24. CIV/APP. 65/18**

CLEOPAS SIPHO DLAMINI

AND

CYNTHIA MPHOE DLAMINI (BORN SIMELANE)

**L. R. MAMBA AND ASSOCIATES**

**SIMELANE MTSHALI  
ATTORNEYS**

**TUESDAY 17 SEPTEMBER 2019**

**25. CIV/APP. 93/18 B**

ETHEL DLAMINI (BORN GULE)

AND

PRINCE CHIEF GASAWANGWANE

**ZONKE MAGAGULA AND COMPANY**

**ATTORNEY  
GENERAL**

**WEDNESDAY 18 SEPTEMBER 2019**

**26. CIV/APP. 15/19**

LUMBELA GENERAL TRADING CC.

AND

SWAZI INDUSTRIES AGENCIES (PTY) LTD t/a  
BUILDERS DISCOUNT CENTRE AND ANOTHER

**M. S. DLAMINI LEGAL**

**WARING ATTORNEYS**

**THURSDAY 19 SEPTEMBER 2019**

**27. CIV/APP. 96/17**

MINISTER OF TOURISM & AUTHORITY  
ENVIRONMENTAL AFFAIRS AND ANOTHER

AND

STEPHEN ZUKE & ANOTHER

**ATTORNEY GENERAL**

**ROBINSON BERTRAM**

**MONDAY 30 SEPTEMBER 2019**

**28. CIV/APP. 08/16**

SIMANGA GINA

AND

CLEMENT SIMELANE

**S. V. MDLADLA & ASSOCIATES**

**SITHOLE &  
MAGAGULA ATTORNEYS**

**TUESDAY 1 OCTOBER 2019**

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

THE CHAIRPERSON OF KWALUSENI COUNCIL N. O

AND

MUSA MOSES ZWANE & OTHERS

**ATTORNEY GENERAL**

**NZIMA AND ASSOCIATES  
HOWE MASUKU NSIBANDE  
ATTORNEYS**

**WEDNESDAY 2 OCTOBER 2019**

**30. CIV/APP. 21/19**

SWAZILAND PERISHABLE FOODS (PTY) LTD t/a FOOD  
LOVERS MARKET & ANOTHER

AND

VAN WYK & SONS (PTY) LTD & ANOTHER

**HOWE MASUKU NSIBANDE  
ATTORNEYS**

**BOXSHALL –  
SMITH ATTORNEYS**



**THURSDAY 3 OCTOBER 2019**

**31. CIV/APP. 08/19**

SWAZILAND NATIONAL YOUTH COUNCIL

AND

SWAZI JIVE ENTERTAINMENT (PTY) LTD AND  
ANOTHER

**GIGI A. REID ATTORNEYS**

**MAGAGULA AND  
HLOPHE ATTORNEYS**

**MONDAY 7 OCTOBER 2019**

**32. CIV/APP. 06/19**

SIKHUMBUZO DLAMINI

AND

SAMUKELISIWE DLAMINI AND OTHERS

**B. S. DLAMINI AND ASSOCIATES**

**MAGAGULA AND  
HLOPHE ATTORNEYS**

**TUESDAY 8 OCTOBER 2019**

**33. CIV/APP. 42/18**

ALAN ALEXANDER MCGREGOR

AND

ROBERT CRABTREE & OTHERS

**MAGAGULA AND HLOPHE  
ATTORNEYS**

**MAKHOSI C.  
VILAKATI ATTORNEYS**

**MBUSO E. SIMELANE  
AND ASSOCIATES**

**WEDNESDAY 9 OCTOBER 2019**

**34. CIV/APP. 60/17**

MARTIN N. DLAMINI

AND

THE LAW SOCIETY OF SWAZILAND AND ANOTHER

**N. E. GININDZA ATTORNEYS**

**ROBINSON BERTRAM**

**THURSDAY 10 OCTOBER 2019**

**35. CIV/APP. 95/17**

SIDUMO DLAMINI

AND

BICON CONSULTING ENGINEERS (SWAZILAND) (PTY)  
LTD

**S. V. MDLADLA AND ASSOCIATES**

**MAGAGULA AND  
HLOPHE  
ATTORNEYS**

**MONDAY 14 OCTOBER 2019**

**36. CIV/APP. 70/16**

LOMDASHI LIMITED & ANOTHER

AND

JOZANA SUPPLIERS (PTY) LTD AND OTHERS

**HOWE MASUKU NSIBANDE ATTORNEYS**

**MAGAGULA  
AND  
HLOPHE ATTORNEYS**

**TUESDAY 15 OCTOBER 2019**

**37. CRIM/APP. 39/18**

HAPPY COLISILE MAVIMBELA

AND

BUYISILE MAVIMBELA AND ANOTHER

**ROBINSON BERTRAM**

**MAGAGULA AND SITHOLE  
ATTORNEYS**

**WEDNESDAY 16 OCTOBER 2019**

**38. CIV/APP. 103/18**

RAMASHKA INVESTMENTS (PTY) LTD

AND

ABAMBISANE CONSTRUCTION SWAZILAND (PTY) LTD

**S. V. MDLADLA AND ASSOCIATES**

**BOXSHALL –  
SMITH  
ATTORNEYS**

**THURSDAY 17 OCTOBER 2019**

**39. CRIM/APP. 13/16**

THE COMMISSIONER OF ANTI-CORRUPTION  
COMMISSION

AND

GIDEON DLAMINI AND OTHERS

**DPP's CHAMBERS**

**MTM NDLOVU ATTORNEYS**

**MONDAY 21 OCTOBER 2019**

**40. CIV/APP. 11/19**

THE COMMANDER OF THE UMBUTFO ESWATINI  
DEFENCE FORCE AND ANOTHER

AND

THEMBA MAZIYA

**ATTORNEY GENERAL**

**S. A. NKOSI ATTORNEYS**

**TUESDAY 22 OCTOBER 2019**

**41. CIV/APP. 112/18**

MANGWENI TINGOTINI FARMERS ASSOCIATION

AND

JOHN LUKHULENI AND OTHERS

**ZONKE MAGAGULA AND COMPANY**

**NZIMA AND  
ASSOCIATES**

**WEDNESDAY 23 OCTOBER 2019**

**42. CIV/APP. 109/18**

CHARLES ANDREW AND CINDY ANNE VAN WYK N.O

AND

ADRIAN JACOBUS VAN WYK & ANOTHER

**S. V. MDLADLA AND ASSOCIATES**

**WARING  
ATTORNEYS**

**THURSDAY 24 OCTOBER 2019**

**43. CIV/APP. 27/19**

JULIUS PATRICK NYONI

AND

THE TWELVE APOSTLES CHURCH IN CHRIST AND  
OTHERS

**C. J. LITTLER AND COMPANY**

**M. V. DLAMINI  
ATTORNEYS  
ATTORNEY GENERAL**

**MONDAY 28 OCTOBER 2019**

**44. CIV/APP. 106/18**

ALPHEOUS LUSEKWANE DLAMINI

AND

NTOMBI ALICE DLAMINI

**M. S. DLAMINI LEGAL**

**MALINGA AND MALINGA  
INCORPORATED**

**TUESDAY 29 OCTOBER 2019**

**45. CIV/APP. 101/18**

IFTIKHAR AHMED & ANOTHER

AND

QADIR IMRAN CHAUDHRY & ANOTHER

**SITHOLE AND MAGAGULA ATTORNEYS                      BEN J.  
SIMELANE ASSOCIATES**

**WEDNESDAY 30 OCTOBER 2019**

**46. 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**



**THURSDAY 31 OCTOBER 2019**

**47. CIV/APP. 29/19**

NKOSINGIPHILE SHONGWE

AND

UMBUTFO SWAZILAND DEFENCE FORCE AND  
ANOTHER

**MUSA MOTSA ATTORNEYS**

**ATTORNEY GENERAL**

**MONDAY 4 NOVEMBER 2019**

**48. CIV/APP. 60/18**

NHLANHLA MACINGWANE

AND

FAMILY OF GOD CHURCH

**MAGAGULA AND HLOPHE ATTORNEYS**

**MKHWANAZI  
ATTORNEYS**

**TUESDAY 5 NOVEMBER 2019**

**49. CIV/APP. 57/18**

FRANCISCA THANDEKA SHAYO  
AND

LINAH THEMBI MBHAMALI N. O AND OTHERS

**ROBINSON BERTRAM**

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

**WEDNESDAY 6 NOVEMBER 2019**

**50. CIV/APP. 39/17**

SWAZILAND ELECTRICITY COMPANY

AND

GIRLIE THULIE SIBANDZE

**MAGAGULA AND HLOPHE ATTORNEYS**

**MKHWANAZI  
ATTORNEYS**

**THURSDAY 7 NOVEMBER 2019**

**51. CIV/APP. 78/13**

SIMON VILANE N.O

AND

LIPNEY INVESTMENTS (PTY) LTD AND OTHERS

**ROBINSON BERTRAM C. J. LITTLER AND COMPANY**

**MONDAY 11 NOVEMBER 2019**

**52. CIV/APP. 104/18**

WAKE-UP CONSTRUCTION (PTY) LTD & OTHERS

AND

MUZI NTSHALINTSHALI

**MLK NDLANGAMANDLA ATTORNEYS                      HOWE  
MASUKU NSIBANDE  
ATTORNEYS**

**TUESDAY 12 NOVEMBER 2019**

**53. CIV/APP. 80/17**

THE CHAIRMAN, LIQUOR LICENSING BOARD

AND

THULANI MASEKO

**ATTORNEY GENERAL      T. R. MASEKO ATTORNEYS**

**WEDNESDAY 13 NOVEMBER 2019**

**54. CIV/APP. 26/19**

ATLANTA PRODUCTS (PTY) LTD

AND

SWAZI CABLES AND LIGHTING (PTY) LTD t/a AUTO  
TECH SOLUTIONS

**SIMELANE MTSHALI ATTORNEYS**

**MANYATSI &  
ASSOCIATES**

**THURSDAY 14 NOVEMBER 2019**

**55. CIV/APP. 51/17**

PIETER PIETERSE & ANOTHER

AND

ESWATINI ELECTRICITY COMPANY

**HENWOOD AND COMPANY    MAGAGULA AND HLOPHE  
ATTORNEYS**

**MONDAY 18 NOVEMBER 2019**

**56. CIV/APP. 23/19**

NONTOKOZO MARILYN HADEBE N. O

AND

GRAHAM MANDA HADEBE

**MAGAGULA AND HLOPHE ATTORNEYS    LEO GAMA  
AND ASSOCIATES**

**TUESDAY 19 NOVEMBER 2019**

**57. CIV/APP. 47/18**

FIRST NATIONAL BANK SWAZILAND LIMITED AND  
ANOTHER

AND

SWAZILAND UNION OF FINANCIAL INSTITUTIONS AND  
ALLIED WORKERS

**ROBINSON BERTRAM**

**M. HLOPHE ATTORNEYS**

**WEDNESDAY 20 NOVEMBER 2019**

**58. CIV/APP. 34/18**

THE PRIME MINISTER OF ESWATINI AND OTHERS

AND

MICHAEL VUSI MASILELA

**ATTORNEY GENERAL**

**ZONKE MAGAGULA AND  
COMPANY**



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**REGISTRAR – SUPREME COURT**