



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

### **SECOND SESSION FINAL ROLL 2018**

**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 LIST OF AUTHORITIES.**

**CRIMINAL AND CIVIL CASES**

**MONDAY 16 JULY 2018**

**1. CRIM/APP. 1/18**

DILAWAR HUSSAIN

AND

REX

PILISO ATTORNEYS

DPP's CHAMBERS

**2. CRIM/APP. 20/14**

DUMISA TREVOR DLAMINI

AND

REX

IN PERSON

DPP's CHAMBERS

**TUESDAY 17 JULY 2018**

**3. CRIM/ APP. 30/17**

SENZO MATSENJWA

AND

REX

SITHOLE MAGAGULA ATTORNEYS

DPP's CHAMBERS

**4. CIV/APP. 85/17**

THABSILE MALINGA

AND

RODGERS MABHOYANE DUPONT AND ANOTHER

**WEDNESDAY 18 JULY 2018**

**5. CRIM/APP. 22/17**

DPP

AND

STANLEY NHLALAKAFU AND 3 OTHERS

DPP's CHAMBERS

BEN J SIMELANE & ASSOCIATES

**6. CIV/APP. 2/18**

FINANCIAL SERVICES REGULATORY AUTHORITY

AND

GOODMAN DLAMINI AND 3 OTHERS

ROBINSON BERTRAM ATTORNEYS

B. S. DLAMINI ATTORNEYS

**THURSDAY 19 JULY 2018**

**7. CIV/APP. 102/17**

IMVUSELELO INVESTMENT (PTY) LTD

AND

USUTHU FOREST PRODUCTS LTD

MUSA M. SIBANDZE ATTORNEYS

HENWOOD ATTORNEYS

**8. CRIM/APP. 02/18**

THEMBINKOSI THUMBELA

AND

REX

IN PERSON

DPP's CHAMBERS

**MONDAY 23 JULY 2018**

**9. CRIM/APP.06/18**

DOCTOR VICTOR MKHABELA

AND

REX

IN PERSON

DPP's CHAMBERS

**10. CRIM/APP. 31/17**

BANELE MAMBA

AND

REX

MABILA ATTORNEYS

DPP's CHAMBERS

**TUESDAY 24 JULY 2018**

**11. CRIM/APP. 27/15**

ZANELE VILAKATI

AND

REX

BEN J SIMELANE & ASSOCIATES

DPP's CHAMBERS

**12. CIV/APP. 01/17**

SWAZI AUCTIONEERS (PTY) LTD AND 5 OTHERS

AND

THE SWAZILAND DEVELOPMENT & SAVINGS BANK

L. R. MAMBA AND ASSOCIATES

MAGAGULA HLOPHE  
ATTORNEYS

**WEDNESDAY 25 JULY 2018**

**13. CRIM/APP.09/16**

PHUMLANI SIKELELA DLAMINI

AND

REX

IN PERSON

DPP's CHAMBERS

**14. CIV/APP. 56/13**

NICHOLAS MANANA AND 2 OTHERS

AND

ACTING PRESIDENT OF THE INDUSTRIAL COURT AND 2 OTHERS

.....

ROBINSON BERTRAM  
ATTORNEYS

**THURSDAY 26 JULY 2018**

**15. CRIM/APP. 36/1463**

MFANASIBILI C. DLAMINI

AND

REX

IN PERSON

DPP's CHAMBERS

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

EFFIE SONYA HENWOOD N. O

AND

PIUS HENWOOD N. O

DUNSEITH ATTORNEYS

HOWE MASUKU NSIBANDE  
ATTORNEYS

**MONDAY 6 AUGUST 2018**

**17. CRIM/APP. 20/17**

JOSEPH BHEKI DLAMINI AND ANOTHER

AND

REX

NKOSI ATTORNEYS

DPP's CHAMBERS

**18. CRIM/APP. 05/17**

DERRICK DLAMINI

AND

REX



IN PERSON

DPP's CHAMBERS

**TUESDAY 7 AUGUST 2018**

**19. CRIM/APP. 12/16**

VARAM ABSALOM SKHOSANA

AND

REX

IN PERSON

DPP's CHAMBERS

**20. CRIM/APP. 28/12**

NHLASE ANTHONY NXUMALO

AND

REX

IN PERSON

DPP's CHAMBERS

**WEDNESDAY 8 AUGUST 2018**

**21. CRIM/APP. 07/16**

BOY MCHUMANISI MKHATSHWA

AND

REX

IN PERSON

DPP's CHAMBERS

**22. CRIM/APP.03/18**

DUMISA PHILEMON MNISI AND ANOTHER

AND

REX

ZONKE MAGAGULA & COMPANY

DPP's CHAMBERS

**THURSDAY 9 AUGUST 2018**

**23. CIV/APP. 65/17**

NORMAN NGCOBO

AND

ELIJA TUTWANE DLAMINI AND 2 OTHERS

DLAMINI KUNENE ATTORNEYS

LEO GAMA & ASSOCIATES

**24. CIV/APP. 98/17**

SWAZILAND REVENUE AUTHORITY

AND

CMC SWAZILAND

.....

HENWOOD ATTORNEYS

**MONDAY 13 AUGUST 2018**

**25. CIV/APP. 07/18**

ALPHEOUS NXUMALO

AND

THE SWAZILAND OBSERVER (PTY) LTD T/A OBSERVER ON  
SATURDAY AND 2 OTHERS

MTM NDLOVU ATTORNEYS

MAGAGULA HLOPHE ATTORNEYS

**26. CIV/APP. 15/18**

SOLOMON SONTU AND ANOTHER

AND

HLELEKILE ZWANE

C. J. LITTLER ATTORNEYS      SITHOLE & MAGAGULA ATTORNEYS

**TUESDAY 14 AUGUST 2018**

**27. CIV/APP. 18/18**

SWAZILAND PERISHABLE FOODS (PTY) LTD T/A FOOD LOVERS  
MARKET AND 3 OTHERS

AND

SWAZILAND DEVELOPMENT FINANCE CORPORATION

HOWE MASUKU NSIBANDE  
ATTORNEYS

ROBINSON BERTRAM  
ATTORNEYS

**28. CIV/APP. 77/16**

FRANCE DUPONT

AND

M. A. RANCHES (PTY) LTD AND 4 OTHERS

N E GININDZA ATTORNEYS

ROBINSON BERTRAM  
ATTORNEYS

**WEDNESDAY 15 AUGUST 2018**

**29. CIV/APP. 19/18**

BASITE BUILDING CONSTRUCTION (PTY) LTD

AND

EUROPA INVESTMENTS (PTY) LTD

MTM NDLOVU ATTORNEYS

SB MOTSA ATTORNEYS

**30. CIV/APP. 100/17**

WEEKEND OBSERVER & 2 OTHERS

AND

SIPHO MAKHABANE

MAGAGULA & HLOPHE ATTORNEYS

ROBINSON BERTRAM  
ATTORNEYS

**THURSDAY 16 AUGUST 2018**

**31. CIV/APP. 83/17**

MIRRIAM MAVUSO AND 6 OTHERS

AND

PATRICIA KUNENE AND EIGHT OTHERS

M. V. DLAMINI ATTORNEYS

MOTSA MAVUSO ATTORNEYS

**32. CIV/APP. 87/17**

ADJ AND ASSOCIATES INCORPORATED (PTY) LTD

AND

STANDARD BANK SWAZILAND LIMITED AND ANOTHER

MBUSO E. SIMELANE & ASSOCIATES

ROBINSON BERTRAM  
ATTORNEYS

**MONDAY 20 AUGUST 2018**

**33. CIV/APP. 99/17**

JABULILE ZANDILE SHONGWE

AND

PRESIDING JUDGE OF THE INDUSTRIAL COURT AND ANOTHER

ZONKE MAGAGULA & COMPANY

ROBINSON BERTRAM  
ATTORNEYS

**34. CIV/APP. 13/18**

THE SWAZI OBSERVER NEWSPAPER T/A THE OBSERVER ON  
SATURDAY AND 2 OTHERS

AND

DR. JAHANNES FUTHI DLAMINI

MAGAGULA & HLOPHE ATTORNEYS

ROBINSON BERTRAM  
ATTORNEYS

**TUESDAY 21 AUGUST 2018**

**35. CIV/APP. 62/17**

SIBONISO CLEMENT DLAMINI

AND

THABISO HLANZE AND ANOTHER

.....

MAGAGULA HLOPHE ATTORNEYS

**36. CIV/APP. 04/16**

MOSES MOTSA AND ANOTHER

AND

LIONEL OSWALD REID AND ANOTHER

NZIMA AND ASSOCIATES

NKOMONDZE ATTORNEYS

**WEDNESDAY 22 AUGUST 2018**

**37. CIV/APP. 47/17**

SUFI AW

AND

FIRST NATIONAL BANK

ROBINSON BERTRAM ATTORNEYS

.....

**38. CIV/APP. 59/17**

SIFISO VUSUMUZI SIKHONDZE

AND

THE MUNICIPAL COUNCIL OF MBABANE AND 2 OTHERS



**THURSDAY 23 AUGUST 2018**

**39. CIV/APP. 68/15**

BEAUTY BUILD CONSTRUCTION

AND

MUZI P. SIMELANE T/A MP SIMELANE ATTORNEYS AND 2  
OTHERS

ROBINSON BERTRAM ATTORNEYS      HOWE MASUKU NSIBANDE  
ATTORNEYS

**40. CIV/APP. 36/17**

ARMILDA LAIDAS T/A JUST KIDS

AND

THE GABLES (PTY) LTD

.....

WARING ATTORNEYS

**MONDAY 10 SEPTEMBER 2018**

**41. CIV/APP. 57/16**

S. V INVESTMENTS (PTY) LTD AND ANOTHER

AND

WORLD WIDE INTERNATIONAL SECURITY SERVICE (PTY) LTD  
T/A SECURITY SERVICES (PTY) LTD

NZIMA AND ASSOCIATES

C Z DLAMINI ATTORNEYS

**42. CIV/APP. 53/17**

EKUHLAMUKENI FARMERS ASSOCIATION

AND

SIPHON DLAMINI

ZONKE MAGAGULA ATTORNEYS

LUCAS B. K DLAMINI  
ATTORNEYS

**TUESDAY 11 SEPTEMBER 2018**

**43. CIV/APP. 73/16**

THE PRIME MINISTER AND OTHERS

AND

THULANI RUDOLF MASEKO AND OTHERS

ATTORNEY GENERAL'S CHAMBERS    LEO GAMA & ASSOCIATES

**WEDNESDAY 12 SEPTEMBER 2018**

**44. CIV/APP. 73/16**

THE PRIME MINISTER AND OTHERS

AND

THULANI RUDOLF MASEKO AND OTHERS

ATTORNEY GENERAL'S CHAMBERS    LEO GAMA & ASSOCIATES

**THURSDAY 13 SEPTEMBER 2018**

**45. CIV/APP. 103/17**

NIHON INVESTMENTS (PTY) LTD

AND

TILLY S. INVESTMENTS (PTY) LTD

T. L DLAMINI & ASSOCIATES

MTM NDLOVU ATTORNEYS

**46. CIV/APP. 12/18**

THE ROTARY CLUB

AND

TIHLOBOTAKHE ZULU

DUNSEITH ATTORNEYS

B. S. DLAMINI AND ASSOCIATES

**MONDAY 17 SEPTEMBER 2018**

**47. CIV/APP. 105/17**

MFANUKHONA MADUMA AND 2 OTHERS

AND

JUNIOR ACHIEVEMT SWAZILAND

ATTORNEY GENERAL'S CHAMBERS

MAGAGULA HLOPHE  
ATTORNEYS

**48. CIV/APP. 20/18**

DUPS PROPERTIES (PTY) LTD

AND

NCAMISO MANANA N. O AND 2 OTHERS

ZONKE MAGAGULA ATTORNEYS

MANYATSI AND ASSOCIATES

**TUESDAY 18 SEPTEMBER 2018**

**49. CIV/APP. 96/17**

MINISTER OF TOURISM AND ENVIRONMENTAL AFFAIRS AND  
ANOTHER

AND

STEPHEN ZUKE AND ANOTHER

ATTORNEY GENERAL'S CHAMBERS

ROBINSON BERTRAM  
ATTORNEYS  
C J LITTLER AND COMPANY

**50. CIV/APP. 91/16**

DERRICK DUBE

AND

EZULWINI MUNICIPALITY AND 6 OTHERS

MAGAGULA HLOPHE ATTORNEYS

S. V. MDLADLA ATTORNEYS

**WEDNESDAY 19 SEPTEMBER 2018**

**51. CIV/APP. 08/16**

SIMANGA GINA

AND

CLEMENT SIMELANE

S. V. MDLADLA

SITHOLE MAGAGULA ATTORNEYS

**52. CIV/APP. 06/18**

LOWVELD TRUCKING (PTY) LTD

AND

SWAZILAND RAILWAY

MABILA ATTORNEYS

ROBINSON BERTRAM ATTORNEYS

**THURSDAY 20 SEPTEMBER 2018**

**53. CIV/APP. 03/17**

MFANUFIKILE PATRICK DLAMINI AND ANOTHER

AND

ZODWA DLAMINI AND 4 OTHERS

C. J LITTLER & COMPANY

MBUSO E. SIMELANE ATTORNEYS

**54. CIV/APP. 67/17**

DARYALI INVESTMENTS

AND

BARAKA INVESTMENTS

NKOMONDZE ATTORNEYS

S. V. MDLADLA ATTORNEYS

**MONDAY 1 OCTOBER 2018**

**55. CIV/APP. 11/18**

THABSILE THANDEKA KHOZA

AND

KHANYISILE BONISIWE MAKHANYA AND 5 OTHERS

S. V. MDLADLA & ASSOCIATES    L. R. MAMBA AND ASSOCIATES

**56. CIV/APP. 03/18**

PATSON DLAMINI AND ANOTHER

AND

NORMAN JABULANI MASEKO AND 2 OTHERS

**TUESDAY 2 OCTOBER 2018**

**57. CRIM/APP. 10/18**

MCOLISI SICELLO DLAMINI

AND

REX

IN PERSON

DPP's CHAMBERS

**58. CRIM/APP. 11/18**

BHEKITHEMBA NDZINISA

AND

REX

IN PERSON

DPP's CHAMBERS



**WEDNESDAY 3 OCTOBER 2018**

**59. CIV/APP. 87/16**

MAKEPEACE DLUDLU

AND

COALPOWER FOR AFRICA (PTY) LTD AND NINE OTHERS

MAGAGULA HLOPHE ATTORNEYS

RODRIGUES & ASSOCIATES

**60. CRIM/APP. 17/17**

MEFIKA MATSEBULA AND ANOTHER

AND

REX

JUSTICE M MAVUSO ATTORNEYS

DPP's CHAMBERS

**THURSDAY 4 OCTOBER 2018**

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

NKOSIVILE GOODWILL LUSHABA

AND

REX

MABILA ATTORNEYS

DPP's CHAMBERS

**62. CIV/APP. 23/16**

BEAUTY PAT SIHLONGONYANE

AND

XOLILE SIHLONGONYANE T/A THE PROPERTY SHOP AND 3  
OTHERS

MOTSA MAVUSO ATTORNEYS

MABILA ATTORNEYS  
ROBINSON BERTRAM ATTORNEYS

**MONDAY 8 OCTOBER 2018**

**63. CIV/APP. 68/17**

DOCTOR HLATJWAKO

AND

DOUGLAS LUSHABA AND 5 OTHERS

N E GININDZA ATTORNEYS

ATTORNEY GENERAL'S  
CHAMBERS

**64. CIV/APP. 23/18**

MAURISWAZI INVESTMENTS (PTY) LTD AND THREE OTHERS

AND

SWAZILAND DEVELOPMENT FINANCE CORPORATION

HOWE MASUKU ATTORNEYS

ROBINSON BERTRAM  
ATTORNEYS

**TUESDAY 9 OCTOBER 2018**

**65. CIV/APP. 26/18**

CENTRAL BANK OF SWAZILAND

AND

POLYCARP MFANASIBILI DLAMINI AND 6 OTHERS

M J MANZINI AND ASSOCIATES

L R MAMBA AND  
ASSOCIATES

**66. CIV/APP. 107/17**

THE ATTORNEY GENERAL

AND

DUMSANI TSELA T/A LENDZE TRANSPORT

ATTORNEY GENERAL'S CHMABERS

ROBINSON BERTRAM  
ATTORNEYS

**WEDNESDAY 10 OCTOBER 2018**

**67. CIV/APP. 29/18**

THE ATTORNEY GENERAL

AND

HOWARD PHOKWANE NKAMBULE

ATTORNEY GENERAL'S CHAMBERS

RODRIGUES AND  
ASSOCIATES

**68. CIV/APP. 80/17**

THULANI RUDOLF MASEKO

AND

THE CHAIRMAN, LIQUOR LICENSING BOARD AND ANOTHER

T R MASEKO ATTORNEYS

ATTORNEY GENERAL'S  
CHAMBERS

**THURSDAY 11 OCTOBER 2018**

**69. CIV/APP. 106/17**

MANGALISO DLAMINI

AND

SIKHATSI DLAMINI N. O

BHEMBE ATTORNEYS

IN PERSON

**70. CIV/APP. 04/18**

THE QUADRO TRUST & 2 OTHERS

AND

SKHUMBUZO DLAMINI & 6 OTHERS

L. R. MAMBA & ASSOCIATES

BHEMBE ATTORNEYS

**MONDAY 15 OCTOBER 2018**

**71. CIV/APP. 69/17**

**REVIEW**

SWAZILAND NATIONAL HOUSING BOARD

AND

THANDEKA DLAMINI

HOWE MASUKU ATTORNEYS

MTM NDLOVU ATTORNEYS

**72. CIV/APP. 37/18**

MUSA GOODMAN DLAMINI

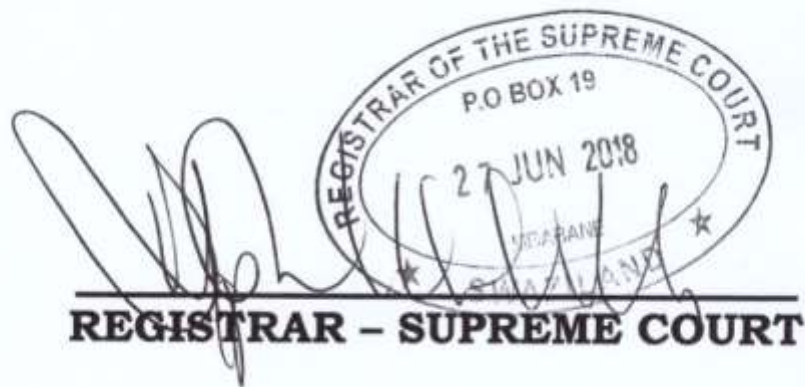
AND

NOMPHUMELELO DLAMINI

ZONKE MAGAGULA & COMPANY

KHUMALO NGCAMPHALALA  
ATTORNEYS

**FRIDAY 16 OCTOBER, 2018 – 30 NOVEMBER, 2018  
WRITING AND DELIVERING JUDGMENTS**



The image shows a handwritten signature in black ink over a circular official stamp. The stamp contains the text: "REGISTRAR OF THE SUPREME COURT", "P.O BOX 19", "27 JUN 2018", and "MEGABANE" with a star symbol. Below the signature and stamp, the text "REGISTRAR - SUPREME COURT" is printed in a bold, black, sans-serif font.