

IN THE HIGH COURT FOR ZAMBIA  
AT THE COMMERCIAL REGISTRY  
HOLDEN AT LUSAKA  
(Civil Jurisdiction)

2014/HPC/0056

BETWEEN:

FASHION X MANUFACTURING COMPANY LIMITED PLAINTIFF

AND

CORPORATE BRANDING LIMITED DEFENDANT



BEFORE HON. MADAM JUSTICE PRISCA MATIMBA NYAMBE, SC AT  
LUSAKA IN CHAMBERS

For the Plaintiff: Mr. J Siame  
Assisted by Mr. A Kaoma, Learner  
*Corpus Legal Practitioner*

For the Defendant: Mr. J Zimba  
*Makebi Zulu & Advocates*

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**RULING**

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This is the Respondent's application to pay the Judgment sum in installments. The application was supported by a list of authorities and an affidavit in support of Summons to pay Judgment sum in installments dated 21<sup>st</sup> February,

2014. In paragraph 9 of the said affidavit the Defendant proposed to settle the whole amount within a period of thirteen (13) months or less.

The application was opposed by the Plaintiff who filed an affidavit in opposition together with list of authorities.

I have perused the documents and authorities filed herein. I am alive to the provisions empowering the Court to use its discretion in this matter and the perimeters within which such discretion can be exercised.

The Defendant did not waste the Court's time and submitted to a Judgment in Default. I note the Defendant's willingness to settle the Judgment Sum in paragraph 9 of the affidavit in support of the application. The fact that the Defendant has applied to pay the Judgment Sum in installments indicates that it may not have sufficient means to settle the same in one lump sum.

I therefore exercise my discretion in favour of the Defendant to afford it the chance to settle the Judgment Sum in installments.

In the event the Respondent's application to pay the Judgment Sum in installments is hereby granted.

The Defendant shall settle the Judgment Sum within six (06) months from the date of this Judgment, in default the Plaintiff shall be at liberty to levy execution without further Court order.

Dated this... 25<sup>th</sup> ... day of ... July ... 2014

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**Prisca M. Nyambe, SC**  
**JUDGE**