

**IN THE HIGH COURT FOR ZAMBIA
AT THE PRINCIPAL REGISTRY
HOLDEN AT LUSAKA**

2017/HPF/0006

(Civil Jurisdiction)

In the matter of:

**Section 5, 15, 18, 19 and 42 of the
Intestate Succession Act, Chapter 59 of
the Laws of Zambia**



AND

In the matter of:

**The estate of the late Senad Halil
Jerlija**

BETWEEN:

SAMIR JERLIJA (Suing by his mother and
next friend Irene Wizado Gondwe)

APPLICANT

AND

INDIRA JERLIJA

RESPONDENT

CORAM: HONORABLE JUSTICE MR. MWILA CHITABO, SC

For the Applicant: N/A

For the Respondent: N/A

R U L I N G

There is an exparte application for leave to review Judgment of Madam Justice Mungomba dated 8th January, 2018.

Application is brought under Order 3/2 of the High Court Rules. This rule is inappropriate. Proper order for special leave to review is Order XXXI (2) of High Court Rules as advised in my attendance note of 19th February, 2018.

Order 3 Rule 2 of the High Court Rules is only applicable where there are no specific rules dealing with a particular application.

Application is struck out. Counsel for the Applicant is however at liberty to re-launch the application anchored on a proper order.

Dated this ^{26th}..... day of February, 2018



Mwila Chitabo, SC

Judge