

**IN THE LOCAL GOVERNMENT
ELECTION PETITION TRIBUNAL
HOLDEN AT LUSAKA**
(Constitutional Jurisdiction)



**IN THE MATTER OF: ARTICLE 47(3), 153(1) And 159(3) Of The Constitution Of
The Republic Of Zambia (Amendment)Act No:2 Of 2016.**

AND

**IN THE MATTER OF: SECTION 72(1) (B),96(1) (C)(I), 98 (C), 99 AND 100(3) Of The
Electoral Process Act No:35 Of 2016.**

AND

**IN THE MATTER OF: The Local Government Elections Tribunal Rules, 2016
Statutory Instrument No: 60 Of 2016**

AND

**IN THE MATTER OF: Local Government Elections For Ward 2, Chawama Ward In
The Constituency, Matero Held On The 12th August, 2021.**

BETWEEN:

TYSON MPHANDE

- PETITIONER

AND

KARMA JAWARA

1ST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA

2ND RESPONDENT

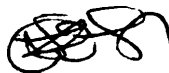
RULING

Read by: Counsel Mataliro:

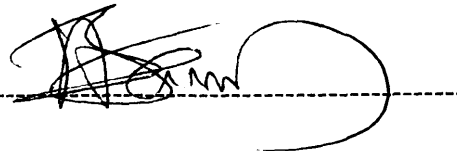
This is an application by the 2nd Respondent for an order to file an answer out of time. The application has been brought Pursuant to **RULE 21** of the Local Government Electoral Rules Statutory Instrument No 60 of 2016. Counsel for the 2nd respondent has filed in documents in support of the application. Counsel for the petitioner has not objected to the application and Counsel for the 1st respondent has also not objected to the application.

We have considered the reasons advanced in the affidavit in support of the application. We are of the view that it will be in the interest of justice to grant the application. Consequently, we make the following orders.

- The 2nd Respondent will file the answer today the 9th September, 2021.
- The Petitioner shall file a reply if any tomorrow the 10th September, 2021.
- Costs shall be in the cause.
- This matter shall be adjourned to the 11th September, 2021 for commencement of trial at 09:00 hours.



.....
I.T. Wishimanga
Chairperson



J.Mataliro
Member



.....
K. Ndulo-Mundia
Member