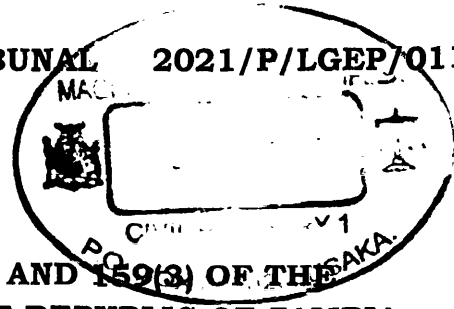


**IN THE LOCAL GOVERNMENT ELECTION TRIBUNAL 2021/P/LGEP/Q11
HOLDEN AT LUSAKA**

(Constitutional Jurisdiction)



**IN THE MATTER OF: ARTICLE 43(3), 153 (1) AND 159(3) OF THE
CONSTITUTION OF THE REPUBLIC OF ZAMBIA
(AMENDMENT) ACT NO:2**

AND

**IN THE MATTER OF: SECTION 72(1) (B), 96 (1)(C)(3) 98 (C),99 AND 100 (3)
OF THE ELECTORAL PROCESS ACT NO: 35 OF
2016 STATUTORY INSTRUMENT NO: 60 OF 2016.**

AND

**IN THE MATTER OF: LOCAL GOVERNMENT ELECTION FOR MATERO
WARD IN MATERO CONSTITUENCY, MATERO
HELD ON 12TH AUGUST, 2021.**

BETWEEN:

SIBESO PATRICK

PETITIONER

AND

CHINYATA ANNIE.B.

1ST RESPONDENT

ELECTORAL COMMISSION OF ZAMBIA

2ND RESPONDENT

CORAM:

I.T.WISHIMANGA, J.MATALIRO AND K.N.MUNDIA

For the Petitioner

Absent

For the 1st Respondent

Absent

For the 2nd Respondent

Absent

ORDER FOR DISMISSAL

This matter was heard by the tribunal on 06/09/2021 after it was filed on 27/08/2021 and the tribunal did order that security for costs be paid into court in order to commence the proceedings, this was not done despite the petitioner having 5 days in which to pay by 10/09/2021 the security for costs had not yet been paid.

At the hearing on 12/09/2021 the commissioners struck off the matter due to none payment of security for costs in the sum of K 600=00.

The stipulated days as per the rules after striking off the matter, there is 3 days within which to restore the matter. This is why passed the stipulated 3 days of restoration.

We therefore dismiss the petition for want of prosecution.



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I.T.Wishimanga

Chairperson

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J.Mataliro

Member



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K.N.Mundia

Member