



★ THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT KAMPALA.
(COMMERCIAL DIVISION)
MISCELLANEOUS APPLICATION No. 217 OF 2022
[ARISING FROM MISC APPLICATION No. 095 OF 2022]
ARISING FROM MISC APPLICATION No. 094 OF 2022]
[ARISING FROM MISC CAUSE No. 003 OF 2022]

DFCU BANK LIMITED ----- APPLICANT

VERSUS

1. POLAT YOL YAPI SANYI VE TICARET A.S
2. UGANDA NATIONAL ROADS AUTHORITY ----- RESPONDENTS

ORDER

This matter coming up for Ruling on the 14th day of April, 2022 before HON LADY JUSTICE JEANNE RWAKAKOOKO, in the presence of Mr. Timothy Lugayizi, Counsel for the Applicant, Mr. Ferdinand Tumuhaise, Counsel for the 1st Respondent and Mr. Kenneth Mwebembezi, Counsel for the 2nd Respondent; and in the absence of representatives of all the Parties,

IT IS HEREBY ORDERED AS FOLLOWS;

1. The interim Orders issued by this Court on 27th January, 2022 and extended on 28th February 2022 restraining the 2nd Respondent from enforcing, collecting or calling on the Advance Payment Guarantees issued by the Applicant to the 2nd Respondent, are hereby set aside and vacated.
2. The Applicant is directed to immediately execute payment of the sums secured under the suit Guarantees, i.e. UGX. 14,259,362,014. (Uganda Shillings Fourteen Billion, Two Hundred Fifty-Nine Million, Three Hundred Sixty-Two Thousand, Fourteen Only) AND USD 12,413,382. (United States Dollars Twelve Million, Four Hundred Thirteen Thousand, Three Hundred Eighty-Two Only), to the 2nd Respondent, as earlier directed and pursuant to the Demand Letter dated 18th January, 2022.
3. Each party shall bear its own costs of this Application.

GIVEN UNDER MY HAND AND SEAL OF THIS HONOURABLE COURT on this
19th day of APRIL 2022.



JUDGE

