

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



2018/HPC/0157

IN THE MATTER OF:

An Application under Order 30 Rule 14 of the High Court Act  
Chapter 27 of the Laws of Zambia

IN THE MATTER OF:

The property comprised in the Third Party Mortgage Deed  
relating to Stand No. 12858, Lusaka

IN THE MATTER OF:

The Deeds of suretyship dated 7<sup>th</sup> November 2013 given by  
Christopher Victor Katongo

IN THE MATTER OF FORECLOSURE POSSESSION AND SALE OF MORTGAGED PROPERTY

BETWEEN:

FIRST NATIONAL BANK ZAMBIA LIMITED

APPLICANT

AND

TRIPPLE V PROPERTY ZAMBIA LIMITED

1<sup>ST</sup> RESPONDENT

CHRISTOPHER VICTOR KATONGO

2<sup>ND</sup> RESPONDENT

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**JUDGMENT**

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**UPON HEARING** Counsel for the Applicant,

**AND UPON** perusing the Originating Summons, Affidavit in Support of Originating Summons and Skeleton Arguments filed on behalf of the Applicant, and there being no Appearance nor Affidavit in Opposition filed on behalf of the Respondents herein

**IT IS HEREBY ORDERED** that **JUDGMENT BE AND IS HEREBY** entered for the Applicant in the sum of **K150,320.33** and **\$34,319.06** plus contractual interest from the date of the Originating Summons to the date of Judgment and thereafter at the short-term bank deposit rate until full payment of the Judgment sum. It is further Ordered that the said sum shall be paid within ninety (90) days from the date hereof, failure to

which the Respondents shall deliver vacant possession of the mortgaged property being Stand No. 12858, Lusaka to the Applicant who shall be at liberty to foreclose, take possession and exercise its right to sale.

In the event that the proceeds from the sale of the Mortgaged property are insufficient to liquidate the Judgment debt herein, the 2<sup>nd</sup> Respondent shall be personally liable to settle the debt of the 1<sup>st</sup> Respondent as guarantor of the 1<sup>st</sup> Respondents debt.

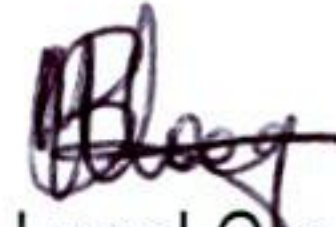
Costs of and incidental to this action are awarded to the Applicant, to be agreed or taxed in default of agreement

Dated the.....day of.....2018

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**HONOURABLE MADAM JUSTICE W.S MWENDA (Dr)**  
**HIGH COURT JUDGE**

**Drawn by:**



Legal Counsel

First National Bank Zambia Limited  
Plot 22768, Acacia Business Park  
Corner Great East & Thabo Mbeki Roads  
LUSAKA

**Advocate for the Applicant**

To: The 1<sup>st</sup> Respondent  
Tripple V Property Investment Limited  
Plot No. 10547  
Light Industrial Area  
**Lusaka**

To: **The 2<sup>nd</sup> Respondent**  
Christopher Victor Katongo  
15 ANC Flats  
F/105/110/B Mwayi Road  
Villa Elizabeth  
**Lusaka**