

**IN THE SUPREME COURT OF SWAZILAND**

**JUDGMENT**

Civil Appeal Case No. 40/2014

In the matter between:

**MARIA KHOZA 1st Appellant**

**And**

**MANDLA GAMEDZE 1st Respondent**

**THE COMMISSIONER OF POLICE 2nd Respondent**

**THE ATTORNEY GENERAL 3rd Respondent**

**Neutral citation:** *Maria Khoza v Mandla Gamedze & 2 Others (40/2014) [2014] SZSC 69 (3rd December 2014)*

**Coram: DR. S. TWUM JA, E.A. OTA JA and LEVINSOHN JA.**

**Heard:**  18 November 2014

**Delivered:** 3rd December 2014

**JUDGMENT**

**DR S. TWUM J.A.**

[1] Upon this appeal coming on for hearing, the parties agreed that the matter should be referred to the court a quo for a full trial of the issues appearing on the Combined Summons and on the Special Plea, respectively. This appeal is accordingly vacated.

[2] The parties are requested to contact the Registrar, High Court, for the modalities to be completed and a date fixed for the trial.

[3] Costs of the appeal will be costs in cause.

Dated at MBABANE on the 3rd December 2014.

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**DR. S. TWUM**

**JUSTICE OF APPEAL**

I agree.

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**E.A. OTA**

**JUSTICE OF APPEAL**

I agree.

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**P.L. LEVINSOHN**

**JUSTICE OF APPEAL**

**For Appellants : Mr. L. Howe**

**For 1st Respondent : Mr. Xaba**