



**IN THE SUPREME COURT OF SWAZILAND**  
**JUDGMENT**

Civil Appeal Case No. 40/2014

In the matter between:

**MARIA KHOZA**

**1<sup>st</sup> Appellant**

**And**

**MANDLA GAMEDZE**

**1<sup>st</sup> Respondent**

**THE COMMISSIONER OF POLICE**

**2<sup>nd</sup> Respondent**

**THE ATTORNEY GENERAL**

**3<sup>rd</sup> Respondent**

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

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

**Heard:** 18 November 2014

**Delivered:** 3<sup>rd</sup> 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 3<sup>rd</sup> 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 1<sup>st</sup> Respondent** : **Mr. Xaba**