

IN THE MALAWI SUPREME COURT OF APPEAL SITTING AT BLANTYRE
MSCA MISCELLANEOUS CIVIL APPEAL CASE NO. 72 OF 2021

[Being Commercial Cause Number 337 of 2020 High Court, Commercial Division
Sitting At Lilongwe Registry]

BETWEEN

ATTORNEY GENERAL

[Ministry Of Gender, Children, Disability And
Social Welfare]

APPLICANT

AND

BITS AND BYTES LTD

RESPONDENT

CORAM: THE HON. MR JUSTICE L P CHIKOPA SC JA
Applicant, Absent/unrepresented
Jivason [Mr.], of Counsel for the Respondent
Masiyano [Ms.] Court Clerk

RULING

Chikopa SC, JA

On December 13, 2021 we granted *ex parte*, a stay order in favour of the Applicant the same to be considered for further subsistence within 28 days from the above date. The Applicant accordingly filed an *inter parties* application in respect of such furtherance which application was set down for hearing on January 18, 2022 at 1000hours.

The Applicant did not appear to argue his application. We were instead told that the Applicant was delayed and that the court should pend the hearing until his arrival.

The application is hereby dismissed. There is nobody to argue it. Needless to say the order of stay is also vacated.

The least said about the request for the court to wait for the Applicant's arrival the better. Except to say that it smacks of a gross want of respect for the court.

Dated at Blantyre this of 20th day of January 2022.


L P CHIKOPA SC
JUSTICE OF APPEAL