



IN THE SUPREME COURT OF APPEAL
PRINCIPAL REGISTRY
MISCELLANEOUS CIVIL APPLICATION No. 38 OF 2022
(being Commercial Case no. 316 OF 2018, Commercial Court, Blantyre Registry)

Between:

ENERGEM PETROLEUM LIMITED

APPLICANT

and

GENERAL ALLIANCE INSURANCE COMPANY LIMITED

RESPONDENT

RULING

UPON HEARING and analysing the arguments advanced by both the legal practitioners for the applicant and the respondent, reading the documents filed in support of and in opposition to the applicant's motion for leave for enlargement of time within which to appeal and for leave to appeal taken under sections 21, 23 and 24 of the Supreme Court of Appeal Act, Order I Rule 18 and Order III Rules 3 and 4 of the Supreme Court of Appeal Rules;

THIS COURT FINDS that in light of the applicable law, rules and the recent case of *Malawi Housing Corporation v Edwin Nyirenda*, SCA, Civil Appeal No. 26 of 2022, the applicant has not established good and substantial reasons for exercising inordinate delay in bringing the appeal within the prescribed period against decision of the lower court which was perfected on 18th February 2020. THE GROUNDS of appeal also do not show good cause why this court should set down the appeal for hearing.

THE MOTION to enlarge the time within which to appeal is dismissed.

Dated this 3rd day of August 2022 at Chichiri, Blantyre.

Dorothy nyaKaunda Kamanga
JUSTICE OF APPEAL

Coram:

Mr. N. Alide

Counsel for the Applicant

Mr. S. Chisale

Counsel for the Respondent

Ms, C. Masiyano

Court Clerk.