



IN THE EAST AFRICAN COURT OF JUSTICE AT ARUSHA

FIRST INSTANCE DIVISION

(Coram: Monica K. Mugenyi, PJ; Fakihi A. Jundu; Audace Ngiye; Charles O. Nyawello & Charles Nyachae, JJ)

APPLICATION NO. 15 OF 2018
(Arising from Reference No. 10 of 2013)

**THE ATTORNEY GENERAL OF
THE REPUBLIC OF RWANDA APPLICANT**

VERSUS

**THE UNION TRADE CENTRE
(UTC) RESPONDENT**

19TH MARCH, 2019

Application No. 15 of 2018

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RULING OF THE COURT

1. This is an Application by the Attorney General of the Republic of Rwanda ('the Applicant') for stay of the proceedings in this Reference pending the determination of Appeal No. 2 of 2018 by the Appellate Division of this Court. Having carefully listened to both Parties, it is clear that the Application is conceded by the Respondent, save for the question of costs.
2. We do, however, deem it necessary to address an undesirable practice that appears to be stealthily finding its way into this Court's judicial processes. This is the practice of parties purporting to communicate their position on a matter pending before the Court by letter, as was done by the Respondent herein. For avoidance of doubt, we hereby state clearly that this Court may only be addressed by parties through pleadings or submissions, oral or written, and not by letter.
3. Turning to the issue of costs before us, we note that whereas the Applicant did vide its pleadings seek that the costs of the present Application abide the outcome of Appeal No. 2 of 2018, at the hearing thereof learned Counsel for the Applicant affirmed that his instructions had since changed and sought that 'neither party bears costs.' We construe these new instructions to mean each Party bear its own costs. We do therefore exercise our discretion under Rule 111(1) of this Court's Rules of Procedure to order that each Party herein bears its own costs.
4. It is so ordered.

Dated, signed and delivered at Arusha this 19th day of March, 2019.



HON. LADY JUSTICE MONICA K. MUGENYI
PRINCIPAL JUDGE



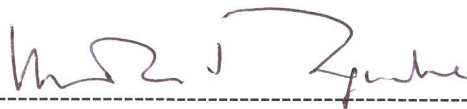
HON. JUSTICE FAKIHI A. JUNDU
JUDGE



HON. JUSTICE AUDACE NGIYE
JUDGE



HON. DR. JUSTICE CHARLES O. NYAWELLO
JUDGE



HON. JUSTICE CHARLES NYACHAE
JUDGE