

NATIONAL SOCIAL SECURITY AUTHORITY  
versus  
CHIMBWANDA DENFORD HANDSON

HIGH COURT OF ZIMBABWE  
MTSHIYA J  
HARARE, 25 November 2010

Mr *T. Nleya*, for the applicant  
Mr *Mahuni*, for the respondent

MTSHIYA J: The respondent being barred for failure to file heads of argument in terms of the rules of this court and no application for the upliftment of the bar having been made, the applicant is entitled to the relief sought:

IT IS ORDERED THAT:

- a) The cancellation of the agreement of lease between applicant and respondent in terms of which applicant leased to respondent premises known as Shop 3 Parklane Building, Corner Julius Nyerere and Sam Nujoma Street located on Stand No. 1373 F, I and J, Harare, Zimbabwe is hereby confirmed.
- b) The respondent together with its subtenants, assignees, invitees and any other persons claiming through respondent are hereby forthwith ordered to vacate applicant's premises being Shop 3, Parklane Building, Corner Julius Nyerere and Sam Nujoma Street located on Stand 1373 F, I and J Harare, Zimbabwe.
- c) In the event that the respondent together with subtenants, assignees, invitees and any other persons claiming through respondent fails to vacate forthwith from applicant's premises described in (a) above, the Sheriff of Zimbabwe or his lawful deputy be and are hereby authorized to evict respondent together with its

- subtenants, assignees, invitees and any other persons claiming through respondent from applicant's premises described in (a) above.
- d) The respondent shall pay damages for continued occupation by respondent of applicant's premises at the rate of US\$300.00 for rent and US\$50.00 for operating costs per month from 26 May 2010, to date of respondent's ejection.
- e) Interest thereon at the rate of 5% per annum from 26 May 2010 to date of payment in full; and
- f) Costs of suit at Legal Practitioner and client scale.

*Gill, Godlonton & Gerrans*, applicant's legal practitioners  
*Manase & Manase*, respondent's legal practitioners