

UGANDAN CASES ON EQUITY MAXIMS

1. Equity Will Not Suffer a Wrong Without a Remedy

- Attorney General v. James Mark Kamoga & Another (SC)
 - Uganda Posts & Telecommunications Corp v. Abraham Kitumba (SC Civil Appeal No. 36 of 1995)
 - Erias Lukwago v. Attorney General (Constitutional Appeal No. 4 of 2013)
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2. Equity Follows the Law

- Makula International Ltd v. Cardinal Nsubuga & Another [1982] HCB 11 (SC)
 - National Housing & Construction Co. Ltd v. David Seruyange (SC Civil Appeal No. 2 of 2004)
 - Bank of Uganda v. Banco Arabe Espanol (SC Civil Appeal No. 23 of 1992)
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3. He Who Comes to Equity Must Come With Clean Hands

- Kabuye Kyofatogabye v. Attorney General (SC Civil Appeal No. 3 of 1994)
 - Stanbic Bank Uganda Ltd v. Lillian Babirye (HC Civil Suit No. 549 of 2010)
 - Makula International Ltd v. Cardinal Nsubuga [1982] HCB 11
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4. He Who Seeks Equity Must Do Equity

- Hannington Njuba v. Mugisa (HC Civil Suit No. 179 of 1993)
 - Uganda Commercial Bank v. Mukoome Agencies (SC Civil Appeal No. 20 of 1999)
 - National Bank of Commerce v. Edward Ndawula (HC Civil Suit No. 274 of 1997)
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5. Delay Defeats Equity (Laches)

- Kampala District Land Board v. Venansio Babweyaka (SC Civil Appeal No. 2 of 2007)

- Attorney General v. Osotraco Ltd (SC Civil Appeal No. 1 of 1999)
 - Ssekabira v. Administrators of the Estate of Ssekabira (HC Civil Suit No. 12 of 1989)
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6. Equity Looks to Intent Rather Than Form

- Bank of Uganda v. Banco Arabe Espanol (SC Civil Appeal No. 23 of 1992)
 - Kampala Bottlers Ltd v. Damanico (U) Ltd (SC Civil Appeal No. 22 of 1992)
 - Uganda Commercial Bank v. Kaweesi (HC Civil Suit No. 112 of 1997)
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7. Equity Regards as Done That Which Ought to Be Done

- Mugoya Estates Ltd v. Uganda Railways Corporation (SC Civil Appeal No. 5 of 2002)
 - National Housing & Construction Co. Ltd v. David Seruyange (SC Civil Appeal No. 2 of 2004)
 - Frederick J.K. Zaabwe v. Orient Bank Ltd (HC Civil Suit No. 126 of 2005)
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8. Equality is Equity

- Kasozi v. Kasozi (HC Divorce Cause No. 21 of 1997)
 - Kagga v. Kagga (HC Divorce Cause)
 - Peter Kimbowa v. Bank of Uganda (SC)
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9. Equity Imputes an Intention to Fulfil an Obligation

- National Housing & Construction Co. Ltd v. David Seruyange (SC Civil Appeal No. 2 of 2004)
 - Uganda Commercial Bank v. Mukoome Agencies (SC Civil Appeal No. 20 of 1999)
 - Stanbic Bank Uganda Ltd v. Lillian Babirye (HC Civil Suit No. 549 of 2010)
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10. Where Equities Are Equal, The First in Time Prevails

- Kampala District Land Board v. Venansio Babweyaka (SC Civil Appeal No. 2 of 2007)
 - Uganda Commercial Bank v. Kaweesi (HC Civil Suit No. 112 of 1997)
 - Bank of Uganda v. Banco Arabe Espanol (SC Civil Appeal No. 23 of 1992)
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